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**LIFE IMPRISONMENT
AND
PRISON REGIME STABILITY**

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Submitted for the degree of Doctor of Philosophy

**The Faculty of Social Sciences,
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ABSTRACT

This research examines the nature of life imprisonment in the British Prison Service with particular reference to the related issues of indeterminacy, regime stability and the ethical implications of current policies. Samples of over 400 inmates and 90 staff in 6 adult and young offender prisons were involved. The author addressed questions concerning the extent to which lifers are distinguishable from non-lifers, produce a stabilising effect on the regimes of their prisons and pay some price as a consequence. The prisons concerned are among those with the highest security classifications which have particular concern not to experience riots or other major acts of concerted indiscipline. Questions which followed from these were to do with both the efficacy and the ethics of either concentrating most lifers, as at present, separating them or determining allocation on a different basis. This cost-benefit perspective also explored the views of Prison Service policy-makers, prison Governors and local staff. The results of interviews, questionnaires and official records are analysed to discern how they bear on the research questions. Final commentary and recommendations are presented within the wider context of the recent (1991) Criminal Justice Bill.

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My greatest thanks and appreciation goes to the hundred of inmates who helped me so much and without whom this research would not have been done. I dedicate this work to them.

CHAPTER 1

INTRODUCTION AND QUESTION SETTING

1.1 Introduction

CHAPTER 1

INTRODUCTION AND QUESTION SETTING

1.1 INTRODUCTION

In 1991, there were approximately 48,000 people serving custodial sentences in prison in England and Wales. Over 2,900 of them were serving sentences of life imprisonment, and this number is rising at a faster rate than any other sentence group. The numbers sentenced are annually well in excess of the numbers released on Life License. These lifers are contained in 53 prisons around the country, with the greatest numbers (almost 1100, or 40%) in the seven Dispersal (maximum security) prisons. In these prisons, which contain most of the country's most notorious or recalcitrant prisoners, concern for security and control, for the stability of the prison regimes, is paramount. The Prison Service invest proportionately more resources and tactical management time on these related issues, and the cost per inmate containment is higher, in these prisons than in any other. The Service's central policy-making Divisions, in the newly re-organised Directorate of Custody, determine the best methods to employ in their efforts to ensure that population mix, allocation procedures and specific institutional contingencies and strategies are appropriate to those security-driven ends.

One of the more enduring assumptions upon which these policies rest is that lifers are a more stable, less disruptive group than any other in the dispersal mix and that these lifers will therefore provide a stabilising

influence on the rest of the inmates thus making the wings and landings less susceptible to the 'concerted acts of indiscipline', protests and riots which prison Governors and staff and, in particular, Headquarters, fear most. This assumption forms part of the basis for the questions this research seeks to answer. However, before that it is important to explain the reasons why this research has been undertaken.

The author is a Principal Psychologist employed by the Home Office Prison Department and has worked for over 17 years in a range of institutions, male and female, young offender and adult. One of the most compelling facets of this work, and the specific motivation for focussing on lifers, was having to work with young men, aged 16 to 21, at Aylesbury Youth Custody Centre. The relatively small number of lifers there – some 25 to 30 – lived somewhat separate lives and were in the first stages of their sentences. The effects on them were plain to see. Depression, hopelessness, fear, guilt and despair were prominent features of their less guarded, more vulnerable moments. The accounts of devastation, the remorse towards the victims' families and the shame for what they had brought upon their own families were also painful to hear. This YCC was at that time operating a deliberate policy of separating the lifers from the rest of the population. The Governor was coming under increasing pressure, as a result of recent disturbances in the main non-lifer wings of the prison, to move his lifers into these 3 wings to replace an equivalent number of non-lifers in order, it was contended, to stabilise the regimes. I was asked to research the arguments for and against such movement.

The pressure, from the Regional Director of prisons, took the form of arguments advocating that the lifers' presence would serve to stabilise the more volatile and disruptive wings and thus reduce the pressures

from staff to improve staffing levels (the Prison Officers Association was complaining nationally of chronic under-resourcing) to afford better supervision and protection for its members. My subsequent report, recommending against mixing the lifers, was based on the arguments that, in the absence of any empirical evidence to indicate that the stabilising effect occurred, such a move would be disruptive to both groups. I argued that such apocryphal messages as were referenced strongly suggested that any stabilising which might obtain was more to do with either the proportion or the sheer weight of numbers of lifers in the total roll and that stability was as likely to be a factor of age and personality as simply of sentence type or length. I did, however, observe that indeterminacy is bound to be a powerful deterrent to defiance, so long as the individual actually accepts his release as a likely future event. The recommendations were accepted and the lifers remained separate. This brief and limited insight into the policy machinations concerning the disposition of lifers and of regime stability provoked the interest in a more ambitious attempt to address the treatment of lifers in prison generally.

The subjects of the research are male offenders only and the exclusion of females was due to a combination of four factors:

- 1) their small numbers,
- 2) females residing in a relatively separate, closed system of institutions, with
- 3) different problems of reactance to imprisonment (see Smart, 1977 and Mandaraka-Sheppard, 1986) and particularly

- 4) they were not viewed as presenting problems of rioting or major indiscipline.

The basis data collection stages included:

- 1) preliminary analyses of the official information recorded in Prison Records e.g. the individual inmates cumulative record, the 1150,
- 2) a trial administration of a questionnaire and semi-structured interview to 6 young offenders on the predominantly Lifer wings (3 each, lifer and fixed sentences) at Aylesbury YCC followed by
- 3) completion of all the interviews, questionnaires and data collection on the Aylesbury samples during 1985.
- 4) between October 1985 and April 1987, these procedures were repeated at two of the Adult prisons, Wakefield and Gartree. The main reason for collecting from two Dispersal prisons where both dispersed their lifers across wings (rather than concentrating them together as at Wormwood Scrubs) was to control for the possible differences which might be attributable to differences in the type of prison environment i.e. Wakefield was a large Victorian prison with high wing rolls whereas Gartree was a relatively small, modern (1960s) prison with quite small wings of approximately 60-70 men each.
- 5) the final institution-based data collection took place at Swinfen Hall and Wormwood Scrubs between January 1988 and January 1991. A total of approximately three weeks' field visits to other prisons (Gartree, Wormwood Scrubs and Swinfen Hall), plus two weeks each at Aylesbury and Wakefield while resident psychologist, was required for the data collection specifically.

- 6) the survey of the prison Governors and the interviews with Headquarters Governors took place between 1990 and May 1991 and were influenced by both the nature of the inmates' replies and the development of lifer policy both internally and within the context of rulings by the European Court of Human Rights.

The prison documents were analysed critically throughout given that their contents are overwhelmingly biased in favour of staffs' recorded views and opinions and accounts of events. As this was entirely consistent with the fact that management policy, practice and perception of lifers are also formed largely in isolation from any direct input from the inmates themselves, this was not viewed as a necessarily inconsistent approach and the inmates' perspectives were safeguarded by a hopefully equivalent compensatory emphasis on their accounts of how the policy affected them.

CHAPTER 2

METHODOLOGY

- 2.1 Introduction
- 2.2 Research hypothesis
- 2.3 Samples
- 2.4 Methods and procedures
- 2.5 Statistics
- 2.6 Problems of definition and measurement.

CHAPTER 2

METHODOLOGY

2.1 INTRODUCTION

There are 3 main question groups to this research:

- 1) Are life sentence prisoners different from fixed sentence prisoners? More specifically, do lifers differ intrinsically from fixed sentence men in personality? Are they a coherent group within themselves? Do they differ in their attitudes to life and prison specifically? Do they differ according to their environment i.e. by type of allocation, mixed or separated?
- 2) Do lifers exercise a stabilising influence on the behaviour of other prisoners and on the regimes of their prisons? More specifically: Are they seen as having a stabilising effect? Do they actually have a stabilising effect?
- 3) How are lifers viewed by a) prison staff and b) policy-makers in these two respects and how does this match 'reality'? Should they be used to stabilise? What are the costs to the lifers of the current allocation policies in terms of their own quality of life and sentence progression?

These questions pose specific methodological issues. They require qualitative, quantitative and cross-institutional analyses. Comparisons are necessary:

- between prisons
- between prisons and young offender centres
- between adults and young offenders
- between staff and inmates
- within groups controlling for sentence type.

2.2 RESEARCH HYPOTHESIS

At the risk of being duplicative, these questions form 3 basic hypotheses:

- 1) Life sentence prisoners are differentiated from fixed sentence prisoners in terms of background, personality, criminality and institutional adjustment. There are further differences between adult and young offender lifers in terms of these dimensions.
- 2) Life sentence prisoners exercise a more stabilising influence upon their fellow prisoners than do fixed sentence prisoners and this influence can be attributed to substantive differences in their personalities, criminality or response to imprisonment.
- 3) If the evidence supports the first two hypotheses, it raises serious implications about current Prison Service policies

for lifer allocation, career planning and Dispersal prison management.

2.3 SAMPLES

Inmates

The samples included a minimum of 30 life and 30 fixed sentence prisoners from each of 5 Main Centres. The Main Centres were chosen partly for the economy of access as they hold the largest numbers of lifers and partly for procedural reasons. Chief among these were that such prisons would hold both enough lifers and non-lifers to compare and the lifers will range in time served from those recently sentenced to some with several years served. All samples were randomly i.e. alphabetically selected. Expansion of these points come in the section on problems of definition and measurement at the end of the chapter.

Staff

The staff samples included a cross-section of prison staff including Governors, discipline officers and specialists as well as the views of Prison Service policy-makers at Headquarters in London.

The total numbers finally involved included 229 inmates (111 adults, 118 young offenders) who completed Questionnaires; 127 inmates (and YPs) on the institutional data statistical comparison, 90 on the Personality Questionnaires and 12 on the Extended Interviews of the Individual Lifers' Accounts, a total of 458. Staff included 42 Governors-in-Charge on the National Survey, another 10 in the Main Centre Interviews/questionnaires, approximately 30 discipline officers (including G6 'principal officers', G7 'senior officers' and G8 'officers') and 6 specialists including psychologists, probation officers and wing tutors, a total of approximately 90 staff. Headquarters staff were the Grade 5 Assistant Secretary of State (from conversation and evidence

submitted to the House of Lords Sub-committee on Murder and Life Imprisonment) and the Governor in charge of the Directorate of Custody's Lifer Management Sections (correspondence and interviews).

2.4 METHODS AND PROCEDURES

The methods employed involved a sequential, or staged set of comparisons:

First stage – compare samples of life and fixed sentence prisoners from the same prisons on demographic, sociometric, criminological and personality variables:

- 1) Demographic – to include age and race.
- 2) Sociometric – to include marital status and psychiatric history.
- 3) Criminological – to include type of offence, number and type of previous convictions and custodial sentences, and 7 indices of prison adjustment e.g. Governor's Reports and disciplinary transfers.
- 4) Personality – to include questionnaire results from Eysenck's Personality Questionnaire (EPQ), the Hostility and Direction of Hostility Questionnaire (HDHQ), Rotter's Locus of Control (LOC) and the Raven's Progressive Matrices as a non-verbal measure of intelligence.

Second stage – compare samples of adult and young offender lifers and fixed sentence prisoners on their attitudes to a wide range of aspects of life both before and since imprisonment. An example of

the Questionnaire is included as Appendix A. Compare the adult samples in terms of Demographic and Sociometric variables. Compare samples in terms of prison indices of adjustment, both before and during current prison phase. Describe and compare the prison regimes. Prisons researched were:

Adult:	Mixed – Wakefield and Gartree Separate – Wormwood Scrubs
Young Offenders:	Mixed – Swinfen Hall Separate – Aylesbury

Third stage – Statistical analyses (see section on Statistics).

Fourth stage – Interview and/or administer questionnaires to representative cross-section of staff.

Fifth stage – compare inmates' results with the staff perceptions in the same prisons, and with HQ policy-makers.

Sixth stage – In the light of the empirical 'algorithm' of the first 5 stages, consider the ethical and practical implications of lifers' 'stabilising' effects on prison regimes, and the wider implications of Home Office policy for life imprisonment and the lifers themselves with particular reference to a) indeterminacy and sentence length i.e. longer sentences for lifers, b) procedures for reviewing progress in prison and c) the relative merits of the Executive versus the Judiciary deciding on tariff and risk elements of the sentence for both Discretionary and Mandatory lifers.

Seventh stage – Make Recommendations based on findings and argument of the research which have policy implications.

2.5 STATISTICS

The nature and parameters of the data collected indicate inferential and non-parametric statistics where we are drawing inferences or conclusions about larger populations from samples taken from them and we are acknowledging that we should assume neither normal distribution nor homoscedasticity. The statistics chosen therefore were the Chi-square test for two or K independent samples, Non-parametric Trends Test (TauC) and T-tests. The minimum sample sizes were targeted for 30 each to enhance 'power-efficiency' and reduce probability of error due to small sample sizes. Anticipating a return rate of over 50%, 50 questionnaires each were distributed to the 5 x 2 samples. Unfortunately 2 return rates fell below expectations, ranging from 21 (Wakefield and Wormwood Scrubs lifers) to 37 (Aylesbury lifers).

2.6 PROBLEMS OF DEFINITION AND MEASUREMENT

Some of the procedural limitations of the research include:

- 1) The difficulty of gaining the confidence of such a large number of possibly unwilling participants, suspicious of any civil servant who offers them confidentiality and asks them what they think of the prison system and unwilling because their 'free will', can never be adequately ascertained while they are imprisoned. Confidentiality was particularly emphasised in the instructions and explanation, by including an unmarked envelope for the respondent to put the questionnaire in and then seal, which was then to be returned to either the author or a recognised member of that prison's Psychology unit. There was no coding or aspect of that questionnaire which would allow identification.

- 2) There were some problems of definition in terms used such as 'alienation' and, due to the size of the samples and the security constraints of some of the prisons e.g. I wasn't allowed to personally go onto landings at Wormwood Scrubs to distribute or collect questionnaires, it was not possible to always explain questions which were unclear to some inmates.
- 3) Some of the comparisons between prisons e.g. rates of offending, were only approximations to the precision necessary to ascribe cause and effect.
- 4) It was difficult to answer the question 'Do they actually have a stabilising effect' by other than the combination of logical syllogism, inference from significant differences between the large groups (which did not differentiate lifers by the categories identified) and the cumulative weight of subjective accounts.
- 5) There are limitations in the extent to which it is justified to extrapolate generalised criticisms of Service-wide policy for lifers and inmate distribution/security/control from the specific findings of this research.

CHAPTER 3

A HISTORY OF PRISON LIFER POLICY

- 3.1 Life Sentence Policy
- 3.2 Dispersal Policy
- 3.3 Control Mechanisms in Prison
- 3.4 Riots and Serious Mass Disorder
- 3.5 Summary

CHAPTER 3

A HISTORY OF PRISON LIFER POLICY

3.1 LIFE SENTENCE POLICY

The 1957 Homicide Act imposed a mandatory life sentence for certain types of murder and the Murder (Abolition of the Death Penalty) Act 1965 changed the nature and significance of life imprisonment, ensuring that the numbers of those so imprisoned would continue to rise significantly in every subsequent year. The history of prison policy for lifers must therefore be divided into two distinct periods, pre- and post-abolition. During the prolonged debates concerning repealing the death penalty, one of the key issues was that letting murderers live was unsafe, partly as their behaviour inside prison would be particularly troublesome.

Koestler and Rolph (1961) quoted the Royal Commission of 1959: 'There is a popular belief that prisoners serving a life sentence after conviction of murder form a specifically troublesome and dangerous class. That is not so.' They refer to evidence by a former Governor and Chairman of the Panel of Prison Governors: 'taking murderers as a class, there are a considerable number who are first offenders and who are not people of criminal tendencies... Previous to that they were law-abiding citizens and their general tenor of life is still law-abiding...'. The authors provided considerable evidence to support the impression that murderers were at a very low risk of subsequent violent offending, predicting that

‘the cessation of the Death Penalty would simply mean that on an average five persons per year would be added to the British prison population.’ Unfortunately their predictions were gross underestimates. In 1990, over 250 people were sentenced to Life Imprisonment, pushing the total over the 2,800 mark. A Home Office report in 1965 (Home Office: *Study Group on Life Imprisonment*, unpublished, 1965) on the likely consequences of the Homicide Act of 1957 and of the abolition of capital punishment, attempted to project the likely increase over the total then of 300 lifers and concluded ‘It is certain that there will be some increase until the discharge of prisoners begins to balance reception...an estimate of 600...may be excessive’. The Study Group also concluded that ‘there was a need to make an early decision about the probable length of sentence.’ They felt that proper diagnoses would lead to abandoning the pretence that ‘all their charges will be released at a time which is reasonably close to the average of nine years.’ and continued in this rare display of official conscience and candour ‘after a period of nine years imprisonment, the only purposes which can be served by further imprisonment are the protection of the public or the avoidance of a further expression of public indignation concerning the particular offender.’ This group, composed of senior Prison Administrators and Governors, the Director of Prison Medical Services and Regional Psychologists, reserved perhaps their most critical comments for the then current treatment of under-aged lifers: ‘The present situation for dealing with adolescent prisoners subject to life imprisonment can only be described as crippling. The fact that some of them survive in order to lead normal and useful lives suggest that they had a basic resilience which sustains them in spite of the attacks made upon it by the present form of incarceration.’

The Study Group gave extended consideration to the then current intentions to create a maximum security block as part of the proposed new prison to be built on the Isle of Wight. This was known as the Concentration decision for the most troublesome prisoners, as opposed to the Dispersal policy which was to eventually win through. Based on a premise that lifers would be housed there because they were to be imprisoned for periods well in 'excess of 9 years' or, indeed, for the rest of their natural lives, they concluded that 'Minimum provision is of two rooms, one to be used as a bedroom the other as a day room, basically furnished but with the possibility of having personal possessions. Work chosen, therefore, must present creative challenges...considerably more than those derived from completely menial tasks.'

Finally, the Study Group addressed the arguments for and against providing some establishments '...designated and set aside for the treatment of lifers only.' The advantages were held to be 'Economy of effort and resources...improvements in the process of assessment and diagnosis, the formulation of treatment plans, the control of graded developments and continuous, purposeful staff training' in addition to enhanced options for offering better living conditions, work and training opportunities. The major disadvantages 'would be that of an absence of stimulation in the environment which is provided as a result of mixing populations.' They expressed concern that current mixing left them 'Without wishing to retain what in the present circumstances amounts, not to stimulation, but to undesirable disturbances...' but concluded that 'Unless the overall numbers of lifers increases beyond even that which is now thought to be an excessive estimate, namely 600, considerations of cost, not to mention administrative difficulties, might preclude the setting up of separate establishments on this scale.' The intentions of this

uniquely balanced and candid report are lost in the weight of subsequent machinations and policy decisions guided by, and very much a product of, the Mountbatten Report of 1968, explosions of prison disturbances and riots throughout the 1970s and the concomitant metamorphosis so poignantly chronicled in *Albany: Birth of a Prison, Death of an Era* (King & Elliott, 1977).

By 1969 the Department had become 'Conscious of the pressures being exerted by the growing life sentence population (already standing at 700) and...a review of long term policy for the management of this population must be included among Prison Department's priorities' (*People in Prison*, White Paper on the Penal System, HMSO, 1969). It would seem then that the projections had been consistently grossly inaccurate from the outset.

At a conference in 1973 (*A Revised Strategy for Life Sentence Prisoners*, Prison Department, 1973), senior prison Governors and administrators met and enumerated 7 principles to guide thinking on the lifer population. This was the first time the Department actually recorded specific policies for this growing group of prisoners. The principles became official regulation in a Home Office Circular Instruction (39/74) in 1974. One of the few candid observations recorded during the conference report begins 'throughout the conference there was much honest questioning of whether the idea of "progress" was not in practice synonymous with administrative convenience'. This concern was to do with the application of strategies for planned progression through a variety of prisons of decreasing security levels and the extent to which prison managers were prepared to use well behaved prisoners in attempts to ensure better i.e. quieter, and smoother running prisons. There is no record of whether the conference members confirmed or

refuted this apprehension. There was also, apparently, 'Much discussion on the desirability of allowing lifers to see themselves as a separate group, perhaps even as an elite.' (op. cit.) and while no consensus view emerged, there was general agreement that the larger the group of lifers in any prison, the less likelihood there would be of their becoming separate. Already within this debate it seems implicit that there was greater concern for issues of regime stability (and implicit risks of flattening opportunities for prisoners regardless of sentence type) than for the particular needs of lifers and the ethical implications of policy decisions e.g. obliging all lifers to spend the first 3 to 4 years of their sentence in the highest security conditions possible regardless of their personality criminal sophistication or need for such conditions. The Conference concluded however that 'it could be dangerous to draw inferences from the recorded views of a few men and apply them to the generality of lifers, and it was obvious that more consumer research of the HORU kind would be useful.' There would seem to be a pattern in prison management decision-making, a kind of illogical syllogism that proceeds

- 1) we can foresee problems in dealing with (for our purposes) lifers in the system,
- 2) we don't have enough empirical evidence to support dealing with them in an innovative, liberal manner although our informed subjective experience suggest this to be best, therefore
- 3) we will bemoan the lack of 'hard' evidence i.e. that the consumer agrees with us, and take the course of administrative expedience, order and control by imposition.

The 'writing was on the wall' when this Revised Strategy report gave one unidentified Governor's account of the effects that the first 30 lifers had

on his previously fixed sentence regime: 'From starting as barely noticeable during the build up period, some features are emerging: a slowing down in turnover, a more marked difference in the atmosphere – lifers bringing more stability and a relative maturity in prisoner attitudes in contrast to the other wing weighted with re-classified YPs (young prisoners on Life Sentences who've turned 21)'.

The next official pronouncement on lifers came with Circular Instruction 1 of 1982, Prisoners Serving Life Sentences: Procedures for the management and control, documentation and review, and for the eventual release and license of adult lifers.' This instruction reminded us that Life Imprisonment was mandatory for murder, the maximum sentence for manslaughter, armed robbery, arson, rape, kidnapping and causing an explosion.' The number of lifers had risen steadily from 417 in 1965 (the year of abolition) to 1680 (a 300% increase) 15 years later. The main changes in this instruction were 'the Revised Strategy' which rested on 7 main principles (revised from the 1973 precedent), the implementation of which were specified as Department policy. These principles remain unchanged under the next policy statements of 1986 and 1989, which were intended to 'provide a comprehensive reference on all important matters affecting Life Sentence prisoners.' The instruction was the work of P2 and P4 Divisions of the Prison Department, responsible for all policy and administration on male (P2) and female/young offender (P4) life sentence offenders. P3 Division was responsible for the supervision/administration of security Category A (maximum security) offenders, of whom a large minority are serving life sentences. CI 2/89 begins by explaining that the eventual release of lifers is at the sole discretion of the Secretary of State, on recommendation by the Parole Board and after consultation with the Lord Chief Justice and, if

possible, the trial judge. Only after this most significant disclaimer are we advised that the department's policy rests on these 7 principles:

- 1) **'LIFERS SHOULD BE TREATED AS A GROUP'** whose special needs, because of the indeterminate sentence and the psychological and practical problems created by that, should be recognised within the prisons, though not necessarily by physical separation or privileges. The practical consequences of this principle are that, apart from an expectation that the lifers will receive single cell occupancy, they are excluded any rights or privileges 'over and above those enjoyed by other prisoners.' Perhaps more significantly, it is Gartree's express policy that 'The institutional needs and a sensible assessment of what is good for the prison must be the background into which the lifer fits' (*Gartree Lifer Main Article*, internal instruction, 1987). This same policy goes on to affirm that Gartree's facilities for lifers are 'exceptionally good in comparison to Wormwood Scrubs and Wakefield' (the other two Main Lifer Centres).

- 2) **'FIRST ALLOCATION SHOULD BE TO A MAIN CENTRE'**. This occurs in the overwhelming majority of adult male lifers, with young offenders going to Aylesbury, Swinfen Hall, Exeter or Castington. There are no Main Centres for female lifers, who represent approximately 3% of the total. The decision as to which Main Centre the lifer is allocated is said to 'take into account geographical considerations, but there may be other factors such as the existence of co-defendants.' The Circular Instruction gives no specific advice to the Main Centres as to what is expected of them with regard to helping the lifer adjust to imprisonment generally or their indeterminacy in particular. The entire focus of the

instruction is with the administrative aspects of their first Formal Reviews. In other words, neither the lifer or the Main Centre staff is provided with any detailed guidance as to what is expected of them for the first three years of the sentence, a period when most of the research suggests (e.g. West, 1982) a great deal of personal adjustment trauma may occur. To their credit however, the three Main Centres do work hard to assess the lifers and provide some preparation for both the immediate effects of life imprisonment and the future maze they are to encounter.

- 3) **'A WIDER VARIETY OF PRISONS SHOULD ACCOMMODATE LIFERS'**. Although it isn't explained (none of the principles are), the implicit intent of this point is that more prisons available to hold lifers gives wider options for progress through a life sentence 'career'. They may also, however, be tactical, control-based reasons for this expansion. For example, the Department has long used the powers of Circular Instruction 10 of 1974 to transfer recalcitrant inmates quickly for a cooling off period. A limited number of appropriate prisons for this purpose creates a kind of hard-core disciplinary circuit and more prisons mean more disciplinary options. The final obvious reason for this principle is simply the acknowledgement that the lifer population will continue to grow and grow, given current Governmental policies.

A recent survey by the Quaker Council for European Affairs ('A Fair Deal for "Lifers"', 1990) found that the number of lifers in England, Wales and Scotland – 3,054 at the time – exceeded the combined figure for all other Western European countries (excluding Switzerland, Malta, San Marino and Liechtenstein; figures not available). If we add the figures for

Northern Ireland, thus completing the United Kingdom statistic, the total is 3,503 compared with 2,688 for ALL other countries of Western Europe. Unless we conclude that our population is several times more criminal than our continental counterparts, it is reasonable to assume that governmental and judicial values have had some influence.

Lifers are currently housed in: 7 Dispersal (Security Category A or B), 13 other Category B, 17 Category C and 5 Category D prisons (adult males) as well as 4 YP centres and 8 female prisons. The greatest increases are in the Category C group, up significantly in recent years as sentence lengths grow and ever larger numbers 'graduate' through to lower categories.

- 4) **'LIFERS SHOULD PROCEED, WHERE APPROPRIATE, TO CONDITION OF LOWER SECURITY'**. This principle is met in practice in the majority of cases. There are, however, a number of lifers who, by virtue of the nature of their crimes, a poor adjustment to imprisonment, an unwillingness to comply with the expectations of the system or some particularly damning report (often by a Doctor), are not processed through this decategorisation. The dilemma, or double bind, is then that while they may have fulfilled the conventional obligations, this record of possible risk or non-compliance weighs heavily on the mind of the responsible Civil Servants. There are several cases where such lifers are required to serve additional periods, sometimes counted in years, of quite impeccable behaviour before the suspicions and apprehensions as to their sincerity and safeness can be expunged. The normal sequence is for the lifer to move through each security category, A to D (most begin as category B), with years in each,

followed finally by a period of from 6 to 12 months in a Pre-Release Hostel.

- 5) **'LIFERS SHOULD HAVE A PLANNED AND STRUCTURED CAREER THROUGH THE SYSTEM'**. The intention here is that each lifer should have a Career Plan and that these 'Career Plans...should be prepared for every lifer within the limits of predictability in any individual case, and should try to reflect the kind of progression envisaged above.'

Career Plans are meant to be drafted by a Governor in the Lifer Section of Headquarters and filed in the lifer record in the holding prison. In practice, with so many lifers and so few administrators (there are only 2 Governors in the Section), a significant proportion of men are without Plans and those that do exist are often very brief, single-page 'Aide memoire'. Officially, the plans are prepared after the initial assessments at the Main Centre (normally a period of at least three years) and are meant to take into account 'the retributive/deterrant element of the sentence, the prisoner's training and medical needs, his domestic situation and his security category.' The plans are filed and 'a copy sent to the establishment.' The plans are meant to be in two parts. After a tentative outline of possible prisons he may progress through, the second part of the plan sets out areas of concern where progress will need to be seen to be made. These may refer specifically to areas of concern surrounding the offence and the question of risk.

- 6) **'THERE SHOULD BE MORE ROUTES OUT OF THE SYSTEM'**. 'The Strategy envisaged the emergence of new schemes to prepare men and women who have spent very long periods in custody for return to society.' In spite of the fact that the numbers of lifers who

regrettably fall into this category are increasing, this principle remains aspirational as the author was unable to find a single case where such schemes had been approved.

- 7) **'ALLOCATION SHOULD BE CENTRALISED'**. The Revised Strategy leaves the key issue to last, ensuring that all decisions concerning lifer allocation, movement and release are for Headquarters, rather than Regional Offices (latterly, Area Managers) or institutional staff to make. The reasoning for this is that the facilities for documentation and processing are unequal between regions and the release process 'complex and sensitive.'

General Background

Life imprisonment is the mandatory sentence for murder committed by a person of 21 years of age or over. It is also the maximum sentence for a number of other serious offences including manslaughter, robbery, arson, rape, kidnapping and causing an explosion. If under 18 at the time of the offence, the offender is ordered to be detained 'during Her Majesty's Pleasure'. The court may, if sentencing for murder, recommend a minimum period for which the offender may be detained. A person aged 17 or over but under 21 is sentenced to 'custody for life' and is identical to a life sentence except that he can be detained in a young offender institution.

The current Lifer population

On 30 June 1990, there were nearly 2,800 people serving life sentences, a 9% increase over the previous year and up 85% since 1979. Every year, almost 2½ times as many lifers are received into prison as are released.

Over 90% of all lifers are adult men, with almost 5% being young males and most of the rest adult women. The young male proportion of receptions each year is growing at the fastest rate.

2,237 of the 2,800 lifers were serving sentences for murder, with another 180 for manslaughter, a combined total of 87% of all lifers. The next highest category was for rape (130).

The length of sentence served by released lifers is increasing and has done so since 1979. The average time served then was 9.1 years and by 1989, this had gone up to 12.0 years, an increase of over 30%.

Going back further still, the trends towards longer and longer times served becomes even more apparent. On 30 June 1980, the total of lifers was 1,584. Of these, only 55 (3%) had served over 15 years (hardly surprising as capital punishment had only been abolished for 15 years by then. On 30 June 1989, of 2,677 lifers, 279 (almost 11%) had served this long and the number who had served over 10 years had risen from 85 to 463. In other words, the number of lifers and the proportion of lifers serving very long sentences are both increasing at alarming rates.

Current Home Office Policy for Life Sentence Prisoners

Given a recognition of this population explosion, what revised strategies does the Home Office offer? In September 1989, the Prison Service issued the most up-to-date policy statement in their Policy Briefing Number 13: 'Each year around 100 life prisoners are released and a further 250 enter the system. They are integrated into the normal training prison population but received particularly close attention from staff. Major priorities are to develop life sentence regimes and provide further training for staff.' After a brief explanation of the judicial imposition

procedure and the Home Secretary's powers of release, the Briefing gives policy covering probable sentence lengths, prisoner management, assessment and career planning, risk evaluation, release and aftercare. As it represents the most recent policy statement and is relatively brief, it is reproduced here in its entirety.

How long is a life sentence likely to last? A life sentence is indeterminate. No one decides at the start how long a life prisoner will be detained. Two factors govern release:

- the period required for punishment
- an assessment of the risk to the community.

The judiciary advise on how long the punishment period should be. The Home Secretary then sets a time for the first formal consideration of the case. In most cases the first review date is about three years before the recommended punishment period expires. But for those convicted of very grave crimes the first review date is after 17 years. **THE KEY ISSUE ON WHICH THE HOME SECRETARY MUST BE SATISFIED IS WHETHER RELEASING THE LIFE PRISONER IS AN ACCEPTABLE RISK.**

Management of life sentence prisoners

Policy on management and release is geared to risk assessment within the constraints of recommended punishment time. The strategy is set out in detail in Circular Instruction 2/1989 and Circular Instruction 26/1989 for young offenders. Programmes of counselling,

treatment and preparation for release are being strengthened. A priority for 1989–1990 is to increase places in open prisons and develop wider range of activities in the community.

Assessment and career planning

Every life sentence prisoner – except those in category A – is thoroughly assessed during an initial period in a main centre. Young offenders go direct to a training institution.

Men Wormwood Scrubs, Gartree, Wakefield

Women Durham, Bullwood Hall

Young Offenders Aylesbury, Castington, Swinfen Hall

Each main centre has a team of specialist staff and prison officers who are (sic) trained and experienced in assessing life sentence prisoners. At the end of this assessment period (which is generally about three years for adults and on average 12 months for young offenders) staff prepare detailed reports for Headquarters. A career plan is then prepared for each individual outlining:

- progression through the system
- treatment and training needs
- areas of concern which need to be addressed before the first Parole Board review.

Career plans are not prepared for category A life prisoners until they are downgraded. (An example is provided in Appendix B.)

Risk evaluation

To evaluate risk the Service relies on continuous assessment by a wide range of staff in different prisons who observe the life prisoner in different situations. Reports are prepared at approximately three year intervals and guide Headquarters decisions on progress to conditions of lower security; eventually to an open prison and usually a spell on a pre-release employment scheme.

Team approach

All grades of staff in various disciplines are involved in this process and the life sentence prisoner takes an active part in discussing his needs and progress. Each establishment with life prisoners has a liaison officer who

- co-ordinates all life sentence work in the establishment
- advises and guides staff
- liaises with Headquarters.

Release

Before the Parole Board meets, each case is first reviewed by the Local Review Committee (LRC) at an individual establishment. The Parole Board sits as a panel of four,

including a judge, a psychiatrist and preferably a probation officer. They may recommend release, a move to an open prison or a further review. If a life prisoner is to be moved to an open prison or release is recommended, ministers are consulted. The judiciary are consulted about release. If the Home Secretary accepts a recommendation for release on licence, a provisional release date is set for some time ahead. It is subject to

- good behaviour
- suitable resettlement arrangements
- pre-release preparation in an open prison and/or on a pre-release employment scheme.

If the prisoner's behaviour causes concern, or if the resettlement arrangements are not acceptable, the release date can be cancelled or deferred. If a release date is not set, a date is fixed for a further Parole Board review.

After release

A prisoner released on licence is supervised by the Probation Service for at least four years but often longer. Supervision is only withdrawn when it is judged that the licensee causes no concern. But the licence remains in force for life and licensees may be recalled at any time, if their behaviour causes concern, whether or not they are under supervision.'

The briefing note was reproduced here as an exact unaltered quote.

Stages in the Life Sentence

INITIAL ALLOCATION

Although the decision as to which prison a lifer first goes to after sentencing is technically for a Regional Director (recently replaced in the Re-organisation of the Prison Service by Area Managers), it is effectively a geographical one and there are only three Main Centres of choice for the vast majority of adult males. Adult women will go to either Durham in the north or Bullwood Hall in the south.

FIRST FORMAL REVIEW

The trial judge, in all life sentence cases on and after 1 October 1987, gives his view as to the length of detentions necessary to 'satisfy the requirements of retribution and deterrence for the offence'. This period, known in the service as the 'tariff', is passed, via the Lord Chief Justice who adds his own comments, to the Home Secretary and it forms the basis for setting the date of the First Formal Review, when the lifer's case is referred to the Local Review Committee for consideration. This date is traditionally set to be approximately three years before the expiration of the tariff. Lifers are advised not to confuse this with the probable date of release, as the additional question of 'risk' may continue to be a pre-emptive obstacle to freedom. The three year buffer period is said to give a 'reasonable period of preparation and testing, e.g. in open conditions and/or in the pre-release employment scheme (PRES) before release is finally authorised'.

INTERIM REPORTS

Following the First Review, DOC-2 Division of Prison Headquarters will call for progress reports, called F75 reports, at intervals not exceeding

three years. The local staff who file these reports are expected to have read the official summary of the lifer's pre-prison life and the particular details of the case, known as the Confidential Memorandum, as well as lists of previous convictions, trial judge comments if any and various social enquiry and medical reports to court. CI 2 of 1989 gives clear guidelines to reporting officers as to the areas of particular Headquarters concern to be addressed in progress reports, with special emphasis given to the questions of contrition, culpability and acceptance.

TRANSFERS

No life sentence prisoner can be transferred between prisons without the prior authorisation of DOC-2 Division (the only exception being where a Governor can transfer under the condition of CI 10 of 1974 a prisoner who is behaving extremely aggressively or where the atmosphere of the prison is made unstable through his continued presence. These emergency transfers, which are meant to be short-term, require the approval of an Area Manager). Lifers frequently recount that delays experienced by the majority of lifers waiting for authorisation to move, and the often related delays waiting to hear of DOC-2's decision regarding LRC reports affecting his future prison career or release, are one of, if not THE, greatest cause of pressure and uncertainty in the lifer process. Part of the strain is caused by the common knowledge amongst lifers that a 'progressive move', one to a prison with a lower security category, may involve a diminution in his quality of life, as the regimes of Category C and D prisons often offer fewer facilities than the more secure prison he is leaving. It is also common for lifers to record considerable resentment towards the Department for failing to take sufficient cognizance of the progress ascribed to him by local reporting staff when determining his next move. In other words, many lifers feel that Headquarters staff have

a disproportionate say in their career, displaying an over-cautious or punitive perspective in spite of the endorsements of local staff. These long interval reviews are supplemented by local internal review boards, usually attended by the lifers, held most often at 6 monthly intervals. The findings of these reviews are not requested by Headquarters unless 'the establishment (should) wish to draw the attention of Headquarters to any aspect, or recommend any action'. With the more important Local Review Committee (LRC), these reports form the core of the Prison Department's decision-making around the question of risk of re-offending (CI 2, 1989). The reports are sent to, and considered by, the Parole Board panel. The Board may recommend release or continued detention with a recommendation as to the date of the next review. The length of time from the lifer being interviewed by a member of the Local Review Committee and actually hearing of the decision of the Parole Board is of the order of 6 to 9 months, with some exceptions of as quickly as 4 months through to a minority who wait for up to, and even beyond, a year.

COMMENT

There is an unrecorded part of the lifer review/release equation – procedures which are not recorded in the official Circular Instructions or in the official Home Office handbook intended to explain procedures to the lifers entitled 'Life Sentence: Your Questions Answered' (1988). The Prison Department's Directorate of Custody Section 2, which is responsible for all lifers, submit their own advice to the Parole Board and may in fact attend the Boards and present arguments in confidence which are based on interpretations of prior reports, some of which may be outside the officially designated procedures e.g. information about the lifer's prior involvement (or alleged involvement) in acts of indiscipline

etc. submitted by security officers of previous prisons. There are documented lifer cases where the advice of the Civil Servants has been given priority consideration against the majority, even unanimous, views of every level of official review. This weight of opinion also applies at the highest level of consideration, the Minister of State who must consider the recommendations of the Parole Board in all cases where transfer to open conditions and/or provisional release on licence is recommended. Here again, the Minister will take the advice of career Civil Servants (whose experience and expertise in lifer matters can sometimes be measured in weeks or months) as against the detailed reports of a range of professionals, career Governors and prison officers and Local Review Committee members (whose experience can often be measured in decades). The advice of the Civil Servants, who are also subject to particularly direct and acute political pressures from MPs in answering questions concerning specific lifer cases, is in total confidence. The decisions of the Minister, whose working knowledge of prison policy can also often be measured in months, are also strictly confidential. This confidentiality is not simply from the lifers themselves being afforded any explanation. It extends to the staff involved in the case as well. That is, the entire range of staff who may have worked with the lifers for years and prepared detailed reports on him and who have had to counsel him on a daily basis while the Department considers his future, are prohibited from knowing either the argument put forward by DOC-2 for Ministerial consideration, their advice to the Parole Board, or the substance of the Minister's considerations and decision. The Ministers must be 'entirely unfettered when they take decisions on individual cases, it is not our practice to inform establishments of either the grounds on which Ministers reached their conclusions or the advice which was tendered to them' (correspondence with Directorate responsible for Lifers, 1990). If by

'unfettered', this policy position means that the Minister must not feel inhibited by any obligation to explain his decisions, it could be construed as unfair or, at least, one-sided. Staff involved in the lifer assessment process at prison level cannot apparently question or challenge the veracity of key evidence or opinion proffered by DOC-2 Division because they are not allowed to know it. Yet DOC-2 has an absolute right not only to know what the prison staff report, but to set the timetable for the deliberation of these reports and to reprimand prison staff should they fall behind schedule in the submission of their reports (no such sanction can be counter-applied should the lifer's case be delayed for months at any of the HQ-based stages).

There are no national meetings or forums whereby the various levels of staff can meet to discuss lifer policies. There are no formal procedures in which the lifers themselves may express their perspectives, particularly the acute stress of living in a form of purgatory every time the LRC process occurs. Apart from representation which he may make on a standard form, the lifer is totally unrepresented in his own future. These deliberations about policies for the control and processing of people serving Life Sentences seem to the informed observer over-secretive and one-sided.

FINAL STAGES

Provided that the lifer has not acquired a trouble-maker or control problem reputation, and provided that he has not attracted a Minimum Recommendation sentence length from the Trial Judge he will normally progress through prisons of diminishing Security, from A or B to, eventually, Category D and, finally when the Minister has given a Provisional Release date and he has proven reliable in the lowest security

conditions, a place in a Pre-Release Employment Scheme hostel. This final hurdle actually gives the Lifer priority for vacancies in these hostels where he will normally spend the final 6 to 9 months of his life sentence. Finally, the Governor and staff are obliged to reassure Headquarters that the lifer's release plans are still viable before he is freed on life licence.

3.2 DISPERSAL POLICY

Any discussion of Life Imprisonment is inextricably linked with the policies concerning the secure imprisonment of those prisoners judged to be the highest risks of escape or of causing concerted indiscipline. The Mountbatten Report of 1966, precipitated by the politically devastating escape of George Blake earlier that year, was an historical coincidence with the Abolition of the Death Penalty Act of 1965. Lord Mountbatten took only two months to produce the 'Report of the Inquiry into Prison Escapes and Security' and it has dominated prison policy for the past quarter century more than any other piece of penal policy. He recommended that all prisoners be divided into four main categories according to the degree of security necessary for their containment. Category A prisoners were those 'whose escape would be highly dangerous to the public or the police or to the security of the State.' Category B prisoners were those for whom escape must be made very difficult. Category C and D prisoners were simply those for whom lower levels of security were suitable, with Category D affording a range of community-based opportunities e.g. work-release. There were in fact (see the Report of the Advisory Council on the Penal System, 1968) several reasons given for placing a long-term prisoner in conditions of maximum security:

- 1) if there was reason to think from his past record that he may plan an escape attempt,
- 2) if there was reason to believe that, if a prisoner escaped he would quickly revert to further very serious offences,
- 3) if there was reason to believe he would revert to the use of firearms,
- 4) he was felt to be liable to injure or kill women or young children and
- 5) 'overlapping the other reasons', where a prisoner is 'so notorious that his escape would be a national scandal, and gravely damage the repute of the prison service.'

Mountbatten further recommended that all Category A prisoners should be held in a purpose-built 'fortress prison', known as Alvington and to be located on the Isle of Wight ('plans for such an establishment had been drawn up in the Prison Department before the inquiry...', the Working Party on Dispersal and Control Report, March 1973). The then Home Secretary commissioned the Advisory Council on the Penal System to appoint a Sub-Committee to 'consider the regime for long-term prisoners detained in conditions of maximum security, and to make recommendations.' The Council accepted the Sub-Committee's recommendation that 'these prisoners should instead (of concentration) be dispersed amongst three or four larger prisons with strengthened perimeter security.' The Council acknowledged that 'dispersal would result in a marginally lower degree of security than that available under a policy of concentration and that it would be more difficult to keep close

surveillance over highly dangerous offenders if they were dispersed amongst three or four prisons'.

This Sub-Committee, under the chairmanship of Professor Radzinowicz, reported in March 1968 that the balance of advantage 'lies in adopting a policy of dispersal.' The climate of the time is indicated by the Recommendation (xii) that 'bearing in mind both the nature of the regime desirable within the prison, and the risk of outside help for escape, it is an essential though regrettable part of the security measures that officers on observation duty in the towers (an earlier recommendation) should be armed.' The Report made specific reference to the special circumstances of lifers. They noted that a significant proportion of lifers had no previous convictions and concluded that, while there was 'no reason why the life sentence prisoner who has previously been in prison should not be contained in a general recidivist maximum security prison', many lifers do not require this degree of security, even if they must be contained for a period in closed prisons, and should continue to be allocated elsewhere. They further considered creating special regimes in Category A prisons to meet the needs of lifers liable to serve very long periods (over twenty years) but decided to recommend a review of the situation in three years time, when 'it may be possible to form a better idea of the numbers involved and when the future responsibilities of the prison service in relation to such abnormal offenders may have become clearer.' The most important conclusion of the Radzinowicz Committee was that 'there needs to be an increase in what we might term the "co-efficient of security" in all the closed prisons of this country, and in particular that effective security measures must underlie any future regime for long-term prisoners.' The fate was thus sealed for the future

containment of far larger proportions of the longer term prisoners in far higher conditions of security than previously existed.

The Dispersal policies were implemented in 1968. There was a serious riot in Parkhurst in 1969 involving 'injury to staff and prisoners alike.' Lesser demonstrations in 1971 were followed by widespread and serious damage in 1972 when 'the Prison Department in England and Wales has never previously encountered indiscipline so widespread as that experienced in the disorder of last year' (Prison Department Working Party on Dispersal and Control, 1973). A riot in Albany (the Isle of Wight prison originally purpose-built to mark a liberal, treatment-based watershed but subsequently converted to a maximum security Category A prison) was followed by aggressive demonstrations in other prisons, prompting the Home Secretary to state '...while I am not so far persuaded that the policy of dispersal is fundamentally wrong, I certainly intend to consider...how the techniques and facilities for containing violent and dangerous men...can be improved.' The situation was by then so serious that a Working Party (Working Party on Dispersal and Control, 1973) was immediately convened and chaired by the Director General of the Prison Service, W.R. Cox. They reached a rather different conclusion to the Home Secretary, insofar as they concluded 'There is nothing fundamentally unsound in it (the dispersal policy)...That is not to say that its operation cannot be improved. There are teething troubles to be got over...but the main source of these troubles lies, in our view, not in the policy itself, but in the fact that it is not yet fully in operation.' The riots and demonstrations of the previous 4-5 years were, then, apparently nothing more than 'teething trouble' (op. cit., 1973). The cause of these troubles was, according to the Working Party, 'a disproportionate strain as a result of the activities of a small number of prisoners – perhaps 50 to

100 in all but who are not all necessarily causing trouble at the same time – who create, foster and organise trouble.’ They went on to define these men as ‘utterly intransigent’ and referred to statistics provided them which indicated these men were most likely to be young with long (over 5 years) determinate sentences. Their central recommendation for solving the problem was to create the ‘Special Control Units’. These units were effectively open-ended sensory deprivation centres which were to be within existing punishment ‘blocks’ within the most secure prisons, almost exclusively punitive and control-oriented in conception and intent. Their short, unhappy lives were terminated by the Home Secretary after public, media, prisoners rights groups, prison staff (except the POA) and other pressure groups vehemently protested.

The situation generally regarding the growing numbers of troublesome and defiant inmates was by this time clearly pressuring prison managers to increasingly draconian measures. By the early 1980s, the problem of control, most acute in the Dispersal System generated the Control Review Committees Report of 1984. This major work made a number of significant recommendations including ‘urgent examination of the possibilities of the US “new generation” prison designs’, that prisoners with long sentences should spend substantial parts of their sentences in prisons with ‘relatively open regimes’, and perhaps most significantly, ‘a number of small units operating a variety of regimes should be established for prisoners who present control problems’. The Control Review Committee (CRC) begat the New Directions in Prison Design report of 1985 which approved building two ‘new generation’ prisons at Doncaster (scene of recent riots) and Milton Keynes, and the Research and Advisory Group on the Long-Term Prison System (RAG) which reported in 1987 and which has responsibility for developing and

monitoring research aimed at evaluating the Special Units recommendation of the CRC.

One of the CRC recommendations which does not appear to have survived was that 'the categorisation system should be reviewed in the light of developments in other penal systems.' The traditional 4-group security categories have maintained pre-eminence in allocation and control policy and seems to have been consistently set apart from issues about controlling the most recalcitrant prisoners, who have consistently down through the years been identified as relatively young with longer terms and who are seen as in relatively small numbers e.g. 'An almost universal claim by the managers of high-security prisons is that conditions within them would be qualitatively very different but for the presence of a small minority of difficult prisoners' (Identifying Control-Problem Prisoners in Dispersal Prisons, M. Williams & D. Longley, AOPU, 1987). As the question of maintaining control seems endemic to the management of at least the long term prison population, it warrants a review of the control procedures and dynamics which are current in the system.

3.3 CONTROL MECHANISMS IN PRISONS

The concept of control is at the heart of prison mentality. Efforts to run prisons or, indeed, any form of penal institutions, start from the need to keep prisoners in custody against their will. The first act of imprisonment, normally remand in custody, is to ensure a measure of physical control over a person presumed too dangerous or unreliable to be left free. Control mechanisms in prison fall within two broad categories: Physical Controls and Psychological Controls.

3.3.1 Physical Controls

- 1) The first and most obvious form of control is the perimeter security. This varies in the UK from mesh fencing to double perimeter walls/fences with ultrasonic sensors and electronic scanning TV. Some minimum security facilities have no physical barrier to escape but still impose perimeter boundaries beyond which inmates may not go, so that control remains explicit. Related to perimeter security are the gates which in most Category A and B prisons are composed of several elements similar to the control process of a decompression chamber. Many of Britain's prisons have enormous Victorian Doors with huge keys and rings which all adds to the impression of lost freedom and secure control.
- 2) The architecture of prisons plays another central role in creating the perception of control. Most internal buildings are squat, thick-set and strategically distanced from the perimeter. In the highest security prisons, many buildings are linked by passageways broken by a series of secure gates designed to compartmentalise and control. Most Victorian prisons have a particularly useful design, the panopticon, which denies the congregation of large numbers of prisoners. This classic radial design with a central staff control room, is regarded by many senior prison staff, particularly those responsible for security, as vital in the containment and control of prisoners as it allows for 'gated ends' where the end of each radial wing can be separated off, controlling for unauthorised movement of prisoners between wings as well as the orchestration, often by intercom, of all official movement e.g. to work, education and chapel, etc.

- 3) Security keys worn by staff represent one of the most visible and unpopular forms of physical control in the eyes of prisoners. The final act of 'bang-up' for prisoners in their cells is, on a daily basis, perhaps the most contentious and potentially explosive physical act of control in prison.
- 4) Staff control the physical movement of inmates around the prison in highly structured ways, none more so than with Category A prisoners. A Category A man can only be unlocked when a minimum of two staff is present and only during certain times of the day. He is not allowed to work in normal work locations where the roll is over certain maxima and his movements are recorded in a separate daily log basis. This process may continue for years until the prisoner is finally decategorised. At night, prisoners are locked away for up to 12 hours and must ring their cell bell and wait for a member of staff to come to enquire as to their request. Inmates may not be unlocked at night without the consent of the senior officer in the wing and only when a predetermined minimum of staff are present on the wing.
- 5) Other forms of physical control are achieved through the sentence, control of access to the outside world e.g. letters, visits and Home Leave.
- 6) Punishment is both a physical and psychological form of control.

3.3.2 Punishment

The British Prison Service has detailed, even intricate procedures for systematically punishing prisoners. Prison Rule 47 allows a member of staff to place an inmate on report for any one of 23 different rule

violations, including the comprehensive 'offends against good order and discipline'. Possibly the gravest form of punishment (the ironic term applied inside is 'award') which the Governor can give is a loss of time or delay in the man's EDR, or Earliest Date of Release. Whilst the Governor is limited to a maximum award of 30 days, referring a case to the Board of Visitors (meant to be independent 'watchdogs', but who are obliged to adjudicate the most serious violations), who can award the loss of up to 6 months remission. While this would appear not to inhibit the miscreant lifer, as he might feel he has no time to lose, it in fact is a major control over behaviour, as few lifers will risk a black mark on their permanent record.

Almost all prisons have separate punishment units, usually euphemistically termed Segregation Units but popularly known as The Block, to which inmates are removed when they have been placed on a Governor's Report for particularly serious offences or when they have reacted violently to being placed on report. Blocks tend to be the least commodious places in the prison, with the worst coming close to sensory deprivation, even closer if the man is placed in 'strip conditions'. This final and most extreme act of explicit control involves stripping the man of all his clothing and forcibly placing him in a special nylon or reinforced cloth jacket in a room stripped of all furnishings save specially constructed cardboard table and chair. Bedding is a thin, special mattress placed on a raised concrete corner section of the cell. Perhaps the most extraordinary fact of all is that these are almost exactly the same conditions in which suicidal patients are placed in prison hospitals. This apparently perverse process means that the most violent or disruptive prisoners are treated in conditions almost identical to those used for the most disturbed and vulnerable.

The control which staff can exert upon prisoners to force compliance by both the direct application of these punishments and the threat of them is sufficient for the great majority of prisoners when conditions in the prison are acceptable. However, there are serious risks to the stability of the prison when using the Block. If an inmate has been injured, forcibly removed to the Block or where numbers of other inmates feel an acute sense of injustice against a particular officer for 'nicking' a particularly popular inmate, a serious demonstration can develop very quickly and the potential loss of control is commensurate. Explosive backlashes, even riots, have frequently been triggered in just this way, whether precipitated by inmates expressing genuine concern for their mates well-being or when used as an excuse to threaten the prison with violence to secure better conditions, etc. There are several stages in this scenario of potential escalation where critical decisions must be made, often trading off minor concessions such as one or two antagonists being allowed to see the prisoner personally to check whether he has been injured. In the past, Governors have refused this request to their cost. In any potential riot scenario, lifers become particularly vulnerable to the double bind conflicts generated by these 'us and them' forced choices i.e. loyalty to the inmate code at the cost of possibly several years being added to their sentence or loyalty to the system at the cost of physical assaults, ostracising or both.

3.3.3 Other psychological controls

- 7) *Staff pressure.* Staff, particularly uniformed prison officers, can sometimes gain a large degree of control over prisoners through the subtle, sometimes unintentional use of implicit or humour-wrapped threats. These take many forms, including references to the risk of losing particular visitation or letter-writing privileges,

reminders to recalcitrant or defiant inmates of some prior concessions made to possessions which inmates may have in violation of some minor local rule, which staff may choose to enforce arbitrarily, references to future progress reports for Parole which staff may have to make and which imply or remind the inmate of the dependency upon staffs' goodwill for his future freedom. All these and many more acts of staff serve constantly to remind the prisoners of where they are most vulnerable and why it is in their best interests to BEHAVE.

- 8) As powerful as the staff pressures and influences to behave are, they are less so than the power of the peer group. Seventeen years of work in British prisons have shown the author that in prison, the code of conduct which says that you never inform on another inmate is the most honoured and feared. The most powerful form of punishment inside is not written in the Staff Handbook. It is written in the walls of the recess areas, or ablutions, where summary justice has been meted out to countless men for violating the no-grassing code. The range and severity of 'awards' available to this court are far more fearsome than staff's and extend even to death. Fear of assault, including rape, is not confined to the grassing code. It is pervasive in prisons and is the currency of control in all areas of life including particular debts unhonoured, drug transactions gone wrong (as well as other forms of abuse currencies) and insults presumed or real are manifestation of the strict hierarchical structures which operate inside. That is not to deny that there are many forms of positive inmate control as well as incentives from the official side; but there is no formal positive equivalent to the Prison Rules for punishment.

3.4 RIOTS AND SERIOUS MASS DISORDER

Wheatley (1981) summarised the most important riots in prisons as Parkhurst in 1969, Gartree in 1974 and 1978, Hull in 1975 and Wormwood Scrubs in 1979. Obviously to this list must now be added Wormwood Scrubs in 1982, Wymott in 1986 and, worst of all, the Strangeways riot of April 1, 1990 which precipitated the Woolf Inquiry and Report and the subsequent Criminal Justice Bill of 1991.

At least one possible insight into how these serious riots occur is afforded by Wheatley's extraordinary conclusion that 'On the whole prisoners have been blamed for behaving badly without any justifiable reason. Though this is undoubtedly an accurate perception it is really not a sufficient explanation.'! His recommended solution is for prison managers, especially Governors, to cultivate a sub-culture with enlightened self-interest in maintaining a 'quiet prison' whilst only seeking to 'prevent its worst aspects.', maintaining a healthy flow of informers amongst the prisoner population and for discipline staff to 'be employed in an aggressive rule enforcement role.' He also implicitly advocates the selective rewarding of informers and enforcers within the inmate population as staff normally control access to 'the best jobs, the best cells, education classes, home leave, pre-release employment schemes and parole', concluding that 'If in taking decisions on these sort of topics the need to maintain a stable sub-culture is borne in mind it is possible to see that the deserving are rewarded and the undeserving are not successful.' There is no reference to legitimate or justifiable complaints about the standards of food, hygiene or clothing or the nature of the regime and quality of life. I was unable to find a single official reference by someone working in the Prison Department which acknowledged the Department's culpability, the need to expand the

principles of best practice in the democratic regimes of Grendon Underwood and the Annex of Wormwood Scrubs, or the issues of Prisoners Rights. In Manaraka-Sheppard's 'The Dynamics of Aggression in Women's Prisons in England', (1966), she concluded that '...the most significant result which emerged from this study, is that the institutional process directly affected (or perhaps only reinforced) inmates' negative attitudes towards the institution which in turn shaped their response towards the staff and other inmates.'

3.5 SUMMARY

The evolution of prison policy for both life sentence prisoners and those seen as the greatest control problems appear to have run parallel. Although the worst prisoners were seen as almost interchangeable to those who were most likely to be Category A, this was never the official definition or intention. The most serious criminals were to be dispersed and, as has evolved over the intervening 20 years, come to be housed in separate units within these most secure prisons, apparently a kind of compromise concession to the concentration lobby. With lifers, they are obliged to spend several years in the Dispersal system unless, in the case of an exceptional minority, they are decategorised and moved to Category C or even D (fewer than 10% are so treated). Some lifers are, by virtue of their offence (political, extremely violent or given media notoriety) or personality (judged to be psychopathic or certifiable), obliged to remain in the double jeopardy of being both indeterminate and unstable/unpredictable. The recommendation of the working party on

the Revised Strategy for Life Sentence Prisoners of 1973, concerning the deployment of lifers within a single prison was 'The advantages seemed to lie in the concentration of life sentence prisoners...in any particular prison, possibly in a wing set aside for the purpose.' They went on to propose that 'at a later stage dispersal throughout the establishment might be beneficial.' This was manifestly not taken up, as current practice attests.

Returning finally to the CRC's report 'Managing the Long Term Prison System', we find the conclusion that 'in general, the existing dispersal prisons do not lend themselves to dealing with prisoners in small groups; that they tend to operate an undifferentiated regime for prisoners on ordinary location; and that the combination of the open regime and relatively large units that characterise dispersal prisons make these establishments particularly vulnerable to disruption.' If we can translate these criticisms into rather more specific observations, the first point is that dispersals operate by moving prisoners in large numbers with expedience. They are not structured to allow, let alone encourage, prisoners to assemble in informal small groups and the size and structure of them also serves to overlook individuals as well. The second point is linked to the first in that it acknowledges that the regimes do not take account of individual needs and differences amongst inmates nor do they create and sustain smaller regimes or programmes specifically targeting sub-groups of inmates according to their sentence lengths, personalities or stages in sentence. The CRC reference to 'open regime' was actually defined as 'one that offers a range of constructive activities, the opportunity of associations, and supervision by staff who have the time and training to take a personal interest in each inmate as an individual.' The Report is actually confessing that dispersal prisons not only do not

have such regimes, but also that their very size, nature and disposition makes them untenable. The CRC concluded that 'there will inevitably be control problems if long-term prisoners are held in a system that gives inconsistent messages about the course of their sentences or the consequences of their actions, and if prison managers' only recourse in the face of disruption is to switch prisoners between normal location and the segregation unit, and between one prison and another.' There is little question that the dispersal system gives inconsistent messages about the probable course of long-term prisoners' sentences, particularly as the staff in them have very little influence, and no power, over their eventual releases.

This set of conclusions led the Committee to the perennial question of dispersal versus concentration and they argued that the dispersal system was 'a very expensive business to run eight prisons at the highest level of security. And there are real operational problems in mixing Category A prisoners among a larger number of inmates with lower security requirements...This means, to put it crudely, that the inherent tension in prisons between security and control is accentuated in dispersals.' The CRC believed that the solution was in 'new generation' prisons which were built for smaller groups of prisoners in self-contained units, but accepted this was not a short or medium-term answer and recommended instead:

- 1) individual career plans for long-term i.e. over 5 years,
- 2) drawn up in sentence planning units at the beginning of sentences,
- 3) central allocation for all long-termers to 'get long-termers to the right part of the prison system at the right time of their sentence',

- 4) a more objectively based security categorisation system,
- 5) more individualised programmes,
- 6) more incentives in Category C and D prisons in order to make progression a more credible process.

The Department has made varying progress in implementing these proposals, but the recommendation which the Department pursued most vigorously was that special unit should be created to deal with the control problems posed by some long-term prisoners. To this end, CRC spawned RAG, the Research and Advisory Group on the Long-Term Prison System who, in their turn, reported in 1987. RAG listed three assumptions underlying the special unit proposal: that there was an identifiable group of long-term prisoners who present serious control problems in the dispersal prisons, that the best way to manage them was to remove them to special units and that these units would thereby reduce the number of problems in the long-term prisons. They accepted that many factors contributed to the problem, including inappropriate regimes and mishandling of prisoners by staff, that troublesome prisoners presented control problems only at certain times in particular contexts. They found that there was considerable lack of agreement between sources as to which prisoners were such problems. They did however argue that the final two assumptions could, and should, be empirically tested out, provided that, amongst other conditions, the units were non-punitive and that participation in activities on the units was non-compulsory.

What has evolved in the past twenty years of policy-making for the heavy end of the prison market is therefore a dispersal system containing large and relatively indiscriminate regimes but with a collection of concentrated (in the Radzinowicz sense) units with enhanced regimes for

the particularly troublesome prisoners, a classic reinforcement contingencies paradigm for rewarding bad behaviour and punishing (or, technically, withholding reinforcement) for good (or, compliant) behaviour.

The final word comes in the form of a question set by referring to Bottoms and Light in the published proceedings of the Cambridge Institute of Criminology conference of 1986 where the key question was of 'The issue of the huge human and financial costs involved in requiring, within a dispersal system, many aspects of Category A security for ALL prisoners despite the fact that some five-sixths of the prisoners are in Categories B or C.'

CHAPTER 4

A REVIEW OF THE LITERATURE

- 4.1 An Introduction
- 4.2 Theories of Criminality
- 4.3 Life in prisons and its effects
- 4.4 Other sociological perspectives
- 4.5 The Justice Model
- 4.6 Conclusions

CHAPTER 4

A REVIEW OF THE LITERATURE

4.1 INTRODUCTION – A PHILOSOPHICAL PREAMBLE

A review of the evolution of penology is beyond the scope and relevance of this work. However, it is worth considering some of the major landmarks in the evolution of prison regimes at least so far as they bear on the related themes of indeterminacy and regime ethos.

Prisons are fundamentally concerned with the deprivation of freedom and the control of deviance within them. Ever since the Gaol Act of 1823, there have been central policies concerning proper penal practice and standards for imprisonment. Philosophies of imprisonment however predate that by at least half a century, when John Howard embarked upon his famous travels which culminated in his expression of reforms based upon an enduring blend of authoritarianism and humanely motivated standards for prisoners as viable alternatives to capital punishment and transportation. This view of Howardian penology endures even to today as a prime example of the liberal tradition in prison reform and the extent to which the State has the right to subjugate the rights of the individual as a consequence of the individual's violation of the laws of the State.

This interpretation needs to be contrasted with a perspective which places a far more political and perjorative interpretation. Prison reforms are seen less as a corrective product of evolving humanitarianism than as a product of an increasingly industrialised society requiring a benign, indoctrinated workforce i.e. prison regimes meant to promulgate market forces! The evolution of this 'radical' and revisionist perspective is inevitably reflected in the modern exponents of radical and critical criminology which will be discussed later in the chapter.

Possibly the best synthesis of these two perspectives is achieved in the work of Foucault. He referred to the multifaceted 'carceral society' where prisons were only one of several institutional manifestations of the will of the state which, through their collective influence – schools, hospitals, factories etc. – dominate the formative creation of sufficiently compliance populace. Thus Foucault creates a philosophy which interprets the penal system as part of a much wider appreciation of the manifestation of the power and modifying influence of the will of the State.

At another level, there is additional contrast and, hopefully, potential understanding for the evolution of prisons, their purposes within the society and their internal social orders. The discussion of prison policy in Chapter 3 was limited to a relatively mechanistic approach e.g. descriptive Home Office procedures for life imprisonment and dispersal, indiscipline and policies for its' control. To what extent are these policies informed by, or indicative of, wider philosophies, humanitarian, revisionist or otherwise?

Finally, as the central hypotheses of this research concerns indeterminate imprisonment and the perception of positive interpersonal influence

upon regimes, it follows that we need also consider the concepts of individual will, determinism and, finally, of justice. We need to be clear as to the purpose of the imprisonment. Honderich (1981) concluded that '...an acceptable principle of State intervention must accommodate not only utilitarian values but also equality.' Essential questions therefore become the extent to which the British prison service can argue that it has in place an equitable and just system for prisoners, particularly those serving life sentences who are therefore entirely in the hands of the State.

As a 'route-map' to the rest of this chapter: 4.2 provides summaries of major theories of criminality including Anomie, Strain and Control theories of social development, selected Psychological perspectives, how these inform treatment regimes and the question of the extent to which lifers are criminal in the same way/for the same reasons as others. 4.3 concerns life in prisons and its effects, including the concern about deterioration, typologies of inmates and their relative influence on regimes plus some classic studies of the evolutions of prisons as total institutions.

4.4 offers some Sociological perspectives including Conflict theory and how it informs the wider political implications of imprisonment, and 'expert' knowledge as a means of depoliticising and demoralising issues concerning the right to imprison. A final consideration (4.5) is given to the potential 'tyranny' of the therapeutic/reforming model of prison and the justice perspective as a potential antidote. The Conclusions section (4.6) attempts to draw these, sometimes disparate, perspectives together as they inform the line of research questions and raise new questions as to the extent to which the State is attempting to respond to increasing pressures to move towards the Justice model.

4.2 THEORIES OF CRIMINALITY

One of the most durable sociological theories, or more accurately, explanations of delinquency, is Merton's (1967) Anomie approach. This posits that culturally prescribed norms for appropriate goals become disassociated from the acceptable avenues for realising. In simpler language, some people become 'have nots', don't like it and come with unacceptable ways of getting what they feel entitled to. This 'anomie' is meant to be followed by normlessness, deterioration and disintegration of value systems. The theory stresses that, when an individual is a member of a class stratum which numbers more deviant than compliant members, they are no longer deviant.

Obviously, a prison full of people who are, by definition, deviant, will exercise considerable pressures on those members who are not. If a strategy holds that lifers are compliant to the wider societal norms, for whatever reasons, and therefore that lifers will improve the climate, behaviour or tolerance of the majority, it had bargained without Anomie Theory! The hypothesis does not appear to account for the wider cultural rules which society sets to proscribe sub-cultural deviance and which form the backcloth to the laws which Labelling Theory elucidates as the rules and sanctions from which the deviant rebels. Anomie seems similar to Strain or Motivational theory in that individuals are seen as blocked from succeeding in a conventional sense (the legitimate success goals of Anomie) and so turn to illegitimate means. Cohen (1955) said the delinquent adopts the antithesis of middle-class norms/values in a process of reaction formation. Strain theory asks what the conditions are which lead some not to commit deviant acts. Men are seen to possess sets of both conventional and deviant values which are varyingly subscribed to. Heather (1980) conducted content analyses of constructs produced by

Repertory Grids and found that samples of both school prefects and delinquents held both conventional and 'subterranean' values, but that the 'oppositional' values had replaced the conventional values as the main source of status motivation and self-determination for the delinquents. These theories seem better able to explain shoplifting, petty vandalism and 'joy-riding' than murder, arson or GBH. To what extent might they apply to lifers faced with many years in environments with both norms and sanctions in potential conflict with their own or where many may be faced with a double approach-avoidance conflict? That is, where compliance with the formal, staff-bounded norms and the inmate dominated sub-culture which reinforces deviant, defiant norms have both attractive and unattractive features, their already uncertain prison careers are made even more uncertain and precarious.

STATUS DYNAMICS

All these theoretical statements are essentially the same in that they follow the concept of differentiation-polarization (Hammersley, 1985) which holds that if people are categorized into groups which have different status connotations, they will increasingly hold polarized attitudes consistent with these prescribed standards. Lacey (1966), Hargreaves (1967) and Ball (1981) have all suggested a number of different mechanisms by which differentiation might produce this polarization, including reaction formation (low achievers have status frustration which causes them to invert values so that they can identify with these successfully), substitution of alternative cultures and labelling where 'low stream' individuals adopt stereotypes ascribed to them and act accordingly. Again, how might these apply to prison value systems and expectations? Not only might many prisoners be faced with the double conflict mentioned above, but they may equally be differentiated

according to their offence (both by staff who allocate them and by prisoners who may honour or revile them), or by their criminality. Is there an identifiable index of criminal saturation? The career burglar/robber with a history of violence and the first offence child killer have categorically different ranges of options as to how they will adapt to and influence their prison lives in order to be accepted and, quite possibly, survive in normal location in the prison.

These broad sociological perspectives were originally formulated to be applied to primarily juvenile criminality formation in society rather than to adults or, more specifically still, adult prisoners. The sociological literature on imprisonment is dominated by analyses of prisoners adoption of subcultural norms, attitudes and institutional roles, a process termed, not surprisingly, 'prisonisation' by Clemmer in 1940. This process has perhaps never been adequately researched, being usually based on self-report measures, correlational and cross-sectional designs of the inmate population only at the neglect of other aspects of the dynamic such as the staff views, the prison architecture and the rules of engagement. Miller and Dinitz (1973) did find however that inmates who subscribed to the inmate code and adjusted poorly to formal prison structures were actually less likely to be re-convicted than their less 'prisonalised' peers, suggesting an adaptive, situational flexibility. Goodstein (1979) reported that rebellious prisoners who rejected prison rules were actually more similar to 'normal' people outside prison than the conforming prisoners on a number of personality dimensions. One of the possible flaws in the first work is that the interpretations may be incorrect. The inmates who appear to be conforming may simply be those most sophisticated in both crime and, due to more previous custodial experiences, adept at adjusting to and not coming into conflict with

prison rules. The frequency with which inmates break prison rules may be as much to do with personality variables such as proclivity to violence, impulse control and other forms of emotional inadequacy as with adherence to subcultural norms, etc. Equally, indeterminacy may also be a considerable influence to comply. The Goodstein paper tends to support this interpretation as well. The questions raised by this review so far form the basis of several of the questions which are put to the research samples, particularly in terms of exploring potentially discriminative variables between lifers and non-lifers in terms of their formative family experiences, how they experienced early institutional exposure to school and, for some, Compulsory Care, and any differences in their criminality and criminal experiences.

The extent to which the individual defies or complies with the rules of the Institution may also be partially explained by reference to the work of Thibaut, Friedland and Walker (1974) on the social determinant of rule compliance and of Thornton and Reid (1982) on moral reasoning and offence types. Thibaut et. al. asserted that individuals in 'correspondent' relationships, those in which both the rule-maker and the individual benefit, the individuals will be motivated to comply but that in non-correspondent relationships, there is a heightened likelihood of rule violation. Equally, they found that adherence to rules was 'positively related to the extent of individuals' participation in the rule-making procedure and negatively related to the specificity with which rules were defined.' It would seem reasonable to assume therefore that an essential dynamic of stable regimes might be the extent to which their regulations have been negotiated as mutually acceptable rather than pre- or proscriptive.

THE PSYCHOLOGICAL PERSPECTIVE

Thornton and Reid applied Kohlberg's (1969) stages of moral reasoning to criminal behaviour. They defined preconventional moral reasoning as that 'right action is identified with action that serves one's self-interest', and they made a distinction between prudent and imprudent offending based on the offender's judgement as to the probability of evading detection. They evaluated serious offenders (robberies, major frauds, murder or rape) in terms of verbal intelligence and 'moral maturity scores', and found that prudent offending was equate to serious dishonesty while imprudent offending was equated to serious offences against the person not committed for financial gain. Referring to earlier research into the effects of offence type on popularity in prison, they suggested that prudent, dishonest criminals would tend to be more popular in prison and to absorb the norms of the prison subculture.

Probably the most well-known and possibly the most tendentious theory of personality is Eysenck's. He holds that 'heredity, mediated through personality, plays some part in predisposing some people to act in an anti-social manner. Environment is equally important and...it is the interaction between the two which is perhaps the most crucial factor.' He further reports that criminals can be differentiated on three principal, bipolar dimensions – Extraversion-introversion, Neuroticism and Psychoticism, with significant differences on scales for different types of criminals e.g. for Murderers, 'domestic' murderers are 'significantly introverted' while 'professional gunmen' are significantly extroverted. Eysenck is able to refer to a massive reference list which in varying degrees tends to support his findings but acknowledges as well the not inconsiderable list of research which counters or undermines his own.

Behavioural psychology is, in its most rigorous discipline, the work of B.F. Skinner, whose basic tenet is that of Operant Conditioning, which 'relates the probability of responding (behaviour) to the discriminative stimuli (the circumstances) and the reinforcing stimuli (the consequences) that obtain in the so-called three-term contingency of reinforcement' (Williams, 1987). Williams, in 'Radical Behaviourism', gives a compelling behavioural analyses of criminal behaviours, asking three questions: What was the purpose of the offence? What constitutes the kind of situation in which the offence was committed? and Was the offence primarily verbal or non-verbal? In discussing the classification of serious offenders, he cites the case of murder as a good example of a group of criminals with obvious subgroups (in terms of reinforcement contingencies) such as the 'sadistic' murderers who are obviously positively reinforced i.e. 'turned on' by the sexual pleasure derived by inflicting pain, contrasted to the 'domestic' murderer who is generally negatively reinforced i.e. the murder 'turning off' some aversive stimuli or state such as the threat of the loss of wife or girl-friend to another man (or equally the escape from aversive stimuli from a wife who the murderer hates). Of course, the classic behavioural 'Catch 22' perversity for most lifers is that it is impossible to determine whether the appropriate discriminative stimuli have been learned for not re-offending when the prison environment is devoid of the stimuli from which he must abstain.

Clarke's Rational Choice Theory (*cf.* Clarke and Cornish, 1985) is an attempt at eclectic pragmatism, combining aspects of several disciplines including economics e.g. cost-benefit analyses, cognitive behavioural psychology, the sociology of deviance and environmental criminology. There are 5 basic features:

- 1) 'limited rationality' i.e. the offender expends 'only as much time on this task (a crime) as is commensurate with the circumstances.
- 2) it is multidisciplinary, as outlined above.
- 3) it is 'crime-specific', reflecting the immediate situational, or opportunistic aspect.
- 4) it is concerned to understand why offenders 'make decisions at separate stages of criminal involvement'.
- 5) it makes use of simplified flow charts and diagrams to highlight the most important points in the decision-making process.

For Clarke, this limited or 'bounded' rationality implied that when a criminal, or potential criminal, contemplates an offence, he only exercises that degree of deliberation sufficient in his perception to satisfy the circumstances. This sounds rather like calculated risk and premeditation. Clark excluded 'pathological' crimes as a very rare occurrence and thus encompassed most crime within this modified rationality feature.

The second, eclectic, feature allows Rational Choice Theory to include the Deviancy view that crime makes sense from the criminal's perspective, indeed that it is mundane and operational.

The third feature seems rather less sanguine but, in so far as it may be relevant to prison behaviour, it seeks to differentiate crimes into extensive categories and sub-categories e.g. that there are fundamental differences between types of burglary just as there are between types of institutional offending. Unless I miss the point, this appears to be another way of saying that crimes are environmental factors of opportunity and

that most criminals engage in a wide variety of crimes rather than one or two.

The final feature, apart from diagrammatic depiction, is that criminality has stages e.g. initiating crime, continuing and desisting and that the social scientist needs to examine the factors within each stage.

Within prison, and after, regarding the offender as a rational decision-maker obliges us to see his motivation resting more in the benefits he may obtain rather than in his inherently pathological or deviant personality. For example, a lifer who has a terrible record through 36 prisons in 13 years, having been transferred for Good Order and Discipline over 15 times, may come to a different, liberal and supportive regime and almost immediately choose to comply, conform and co-operate.

4.3 LIFE IN PRISON AND ITS EFFECTS

Much of the focus of psychological research on prisons, apart from efforts to find forms of treatment which 'work' (Martinson, 1974; Thornton, 1987), has been to do with the possible deterioration effects of long-term imprisonment. Walker (1983) summarised the results to that date, concluding that there was little empirical evidence that prison inflicted any enduring harm to prisoners but also conceding that this was still not confirmed by any longer term follow-up of prisoners released after life, or long terms inside. Sapsford (1983) found that apart from a weakening of ties with the outside world related to the length of imprisonment, there were no significant differences between offender groups on a wide range of personality measures, controlling for sentence length. He hypothesized that this may have been due largely to the wide range of

individual differences in response and coping patterns (i.e. tendency to the mean) and because many well-defended prisoners found effective ways of 'reactance', re-perceiving the prison environment in accord with their own pictures of reality, a kind of reconstruction.

A series of research papers by Bannister *et. al.* in the early seventies found that increasing levels of hostility were related to lengths of imprisonment, particularly hostility towards self. They also found that a poorer self-image was related to periods of imprisonment. One implication for this study is that, if lifers become more hostile and intropunitive, with a declining self-image, they are presumably less likely to have a beneficial influence on the dispositions of their fellow inmates.

Richards (1978) compared 2 matched samples of long sentence prisoners, controlling for time served, reaction to imprisonment in terms of psychological stress and methods of coping with it. The results indicated that the groups differed little in their coping with long imprisonment but that links with the outside appeared to be crucial to their coping. There was a strong indication that self-reliance was the 'basic principle' the prevalent attitude in successful adjustment and survival. While sentence length may be an important factor in determining prisoners' behaviour inside the prison, it is manifestly insufficient to explain the diversity of response to that environment i.e. the situational determination. Toch (1977) has done extensive work mapping prisoners' perceptions of their environment, exploring particularly the coping failures of vulnerable prisoners who suffer breakdowns. Porporino and Zamble (1984) conducted very useful research using longitudinal analyses of measures of depression, anxiety, institutional offending and complaints of stress in Canadian penitentiaries. They found that older prisoners committed fewer offences

as did those with more education and longer sentences but that prior convictions, offence types and sentence lengths were not significantly correlated to measures of depression, anxiety or reporting sick. They also found that measures of coping abilities were strongly associated with poor institutional adjustment e.g. those with low release expectancies and high anger tended to violate institutional rules more often. Megargee (1966) and McGurk (1977) found two categories of homicide offenders, those who were over-controlled and those who were under-controlled. Several researchers, including McGurk, found evidence supporting the impression that large numbers of life sentence offenders were relatively mild-mannered and less criminally experienced. The earlier reference to Thornton and Reid's (1982) finding that 'imprudent' offenders might be less successfully accepted by inmate subcultures than would 'prudent' offenders, has a common sense, face validity about it but does not really advance our understanding of the inter-personal dynamics of prisons that much.

West (1988) concluded that the 'distinctive contribution of the psychological approach to criminology is its emphasis on systematic observation and measurement of criminal behaviour, testable theories, experimentation and repetition. For criminological research to prosper, this continuing psychological input is essential.' The theoretical perspectives appear to have come full circle from the activist polemics of Critical Criminology to that Cambridge Institute of Criminology approach to which Young referred. Of course, looking for a parsimonious psychological explanation for understanding lifers is illogical as they encompass such a diverse range of people and crimes. When we turn to murderers, while there are again somewhere disparate groups, they do seem to be more easily categorised. One of these classifications, that of

Morrison (1973) seems to match my experiences rather well. Morrison divided murderers into four broad types, each with several subtypes:

Square Johns were normal, ordinary conforming members of society who had killed accidentally or in response to strong situational provocation. These men would normally have few or no previous convictions.

Subcultural Assaulters were people who accepted and approved of violence as a way of settling disputes. Their murders might tend, in the main, to have been the unintentional result of violence which was not intended to be lethal, but was rather instrumental or operant.

Deliberately Antisocial murderers had chosen, according to Morrison, to maintain a violent antisocial lifestyle. Here, I would modify the definition, as I see little distinction with the Subcultural Assaulters. This type of murderer, in the UK context, I would describe as political and include the 'terrorist' killings of the IRA or Middle East type.

Mentally Ill offenders were people who, even though they might not be judged legally insane within the terms of the Mental Health Act 1983, were nonetheless, driven to violence by compulsions stemming from personality imbalance.

It seems reasonable to posit that, of these four types of murderers, only the first category, the Square Johns, would appear to have both the motivation and the competence to act with any consistency as a stabilising influence on their prison regimes. Indeed, the other three would presumably have a de-stabilising effect – the Assaulters by virtue of their learned association of violence as a rewarding behaviour, the

Deliberately Antisocial (political) due to their presumed wish to usurp or defy the authority of the State through its' instrument the Prison Service and the Mentally Ill by virtue of their aberrant, unpredictable behaviour. These categories are clearly not comprehensive, as there are other types of murderers such as the 'professional' who killed for profit and who, knowing the rules and wishing to serve the minimum sentence possible, might well be stabilising. Equally, there are a significant minority of lifers who are not murderers who might even be in for non-violent offences e.g. arson and kidnapping. The latter, whilst undoubtedly terrifying, would not necessarily be committed by a man who is of a destabilising disposition within the prison environment.

Finally, no review of the psychological assessment of prisons and prisoners would be complete without some reference to the books which dealt with the themes of prison life. Fowles (1985) summarised the social research of prisons in these perspectives for both the United States and Britain. He points to Clemmer's *The Prison Community* (1940), Cressey's *The Prison: studies in institutional organisation and change* (1961) and McCleary's essay on authoritarianism in prison (in Cressey) as reflective of the unchallenging, descriptive studies of prison efficacy. In Britain, the Morris' *Pentonville: a sociological study of a British Prison* (1963) was seen as rather more questioning of prison rules and inmates' rights but to conclude ultimately that the system of prison justice was rather more concessionary than imagined. In Syke's *The Society of Captives* (1958) we find the focus on the effects of imprisonment upon the men themselves where he is concerned with 'the means of preventing disorder' and 'The relative deprivation of the prison world.', concluding the punitive aspects will always shape the inmates' social system. In *Albany: birth of a prison – end of an era* (1977), King and Elliott produced possibly the most

compelling and elucidative study of a prison's life. The detailed account of how a reformation slipped into an obsession with security and control i.e. how Albany became 'the electric coffin', is deeply depressing and all too familiar. Mandaraka-Sheppard (1986) attempted to combine a systematic investigation of prison offending patterns with a critical perspective on the staff and management's roles in running womens' prisons and in actually contributing to higher levels of institutional rule violation. In *The Dynamics of Aggression in Women's Prisons in England*, she makes sweeping indictments e.g. 'The punitive nature of the existing prison system is indicative not only of the disdain for prisoners' human needs and problems, but also of the greater emphasis on punishments imposed...than an emphasis on constructive training in jobs and care after release.' She went still further: 'Managers of prisons whose task is to prevent escapes and disturbances are haunted by the fear of the so classified "hard core Trouble-makers"' concluding that such classifications (at least as far as women prisoners are concerned) are arbitrary and have negative repercussions, and are 'likely to be the result of the System's use of harsh social control and labelling procedures...'.

Two illuminative examples of a sociological, or more accurately a critical criminological, view of prison life are Cohen and Taylor's (1972) *Psychological Survival: The Experience of Long-Term Imprisonment* and Sapsford's (1983) *Life Sentence Prisoners: Reaction, Response and Change*. Cohen and Taylor essentially argued that long-term prisoners (or, more accurately, they extrapolated from personal experience of a very small number of prisoners, in one unit of one prison, who had very long histories of disruptive, aggressive and challenging behaviour in prisons) found several strategies of challenging the conditions imposed upon them and that these strategies represented legitimate activist methods of coping

and overcoming these conditions and further, that they politicised prisoners despite the authorities refusal to acknowledge them ideologically. Sapsford, while setting out originally to conduct conventional research of the effects of life imprisonment on men in terms of 'reactance' and learned helplessness, went on to develop an advocacy for a 'critical social psychology' grounded in a 'metatheoretical position...of self-determination within constraint which emphasizes the crucial role of awareness as a facilitator of change and of social psychology as a tool for promoting awareness.' A final reference may serve to link the Critical Criminological interpretations with the sociological perspectives of labelling theory and anticipate a wider critique of the political nature of imprisonment which follows later in the chapter.

Here, I refer to the work of Box (1981) in *Deviance, Reality and Society*: 'Not very far beneath the manifest ritual...lurks the cunning of the State: for latent in this confrontation is the State's appeal to the subject to consider the gravity of the offence, and thus rejoin society by distancing him/herself from his/her behaviour and seeing it for the immoral activity it really was.' If, Box asserts, the criminals now see their behaviour in terms of 'consequences for themselves', it stops the process of becoming deviant (within prison presumably). If, however, they see it as 'indicators of themselves' i.e. that this terrible behaviour is an indicator of the sort of person I am, then they are in the process of becoming deviant and, presumably, becoming part of, even a leader of, the very prison subculture or 'control problem' which the Prison Service so fears. The lifer, subjected to the abuse and condemnation of the society through the State's apparatus of the Criminal Justice System, has become what the public will and the Law declares – a criminal. There is a particularly

acute dilemma here for the lifers as well. If they are perceived as more stable and less criminal than non-lifers, how do they reconcile this positive valence with the – presumably contradictory reluctance of the Service to trust them sufficiently to let them go free? Many lifers see this as an hypocrisy best expressed as ‘We trust you to behave well in prison but not to behave well outside.’ The traditional explanation of this seeming dichotomy of message is that ‘learning to cope with the pains of imprisonment, by learning informal convict codes and instrumental skills for working the system should be kept theoretically and empirically distinct from learning criminal vocabularies or motives and techniques for committing crimes’ (Box, 1981); i.e. the Importation or Deprivation debate of the 1970s.

Most of these models of prison life – Sykes and Clemmer’s representations and the subsequent single institution studies of King & Elliott (1977) and the Morris’ (1963) which were influenced by them – are primarily of the Functionalist school i.e. focussing on the social system’s relations within a prison as the central emphasis. They give little attention either to the wider cultural and political circumstances which may influence the world inside the prison or of a more critical change perspective towards those conditions which follows from taking this alternative, ‘Importational’ perspectives.

4.4 OTHER SOCIOLOGICAL PERSPECTIVES

The earlier Functional models rested on the theories of Durkheim, who viewed crime as a normal social phenomenon. Huff (1980) summarised this view well, stating ‘Criminal law evolves, from this perspective, as an expression of social consensus concerning values...Criminal behaviour, as

a challenge to dominant social values, helps to reinforce these values among the citizens. Lifewise, the State's punishment of criminal behaviour serves to dramatize the importance of boundary maintenance and provides a method for symbolically expressing the group's moral indignation against the transgressor.' Since the early 1970s, the Conflict paradigm in criminology and sociology has gained prominence, if not even notoriety. Advocates of this critical, conflict perspective assert that criminal law does not reflect group consensus but is rather reflective of the prevailing more powerful value systems of conflicting groups. Huff (op. cit.) groups the main dimensions of this 'radical' perspective as:

- 1) socioeconomic class,
- 2) group and cultural conflict and
- 3) power and authority relationships.

Much of this theoretical orientation springs from Marxist sociology which suggests that 'crime is a result of class conflict based on economic inequality' and that 'only through a radical restructuring of the political economy can we hope to significantly effect rates of crime, in large part by creating a classless society.' The third element, that of power and authority is exemplified by the work of Max Weber, who added the emphasis on power and prestige to Marx's one of property. Weber defined power as 'the ability to secure compliance against someone's will to do otherwise.' and here the relevance of these historical references to prison culture, and the control mechanism of Chapter 3, shows most clearly. When we include Dahrenhorf's essential substitution of 'authority' for 'class' and Turk's (1966) assertion that the task for criminology is 'the study of relations between the statuses and roles of legal authorities – creators, interpreters and enforcers of right-wrong

standards for individuals in the...collectivity – and those of subjects – acceptors or resisters but not makers of such law creating, interpreting and enforcing decisions’ that the absolutely central relevance to prison life becomes transparent. Not only must we look at the sociological dynamics of prison power, authority relationships and group conflicts, but also the related issues concerning Authority’s (deliberate?) use of Indeterminacy in sentencing to influence these dynamics. Turk (1980) observed that political organisation involves the creation and imposition of procedures for containing, redirecting, de-escalating, transforming or otherwise handling conflicts so as to benefit and protect some party or parties caught up in the process.

Spitzer (1980) argued that ‘the new criminologists...attempt to understand the whole of society’s reaction to crime in terms of its immediate functions for the ruling class. However, this connection is developed at the cost of reducing all variations in the structure and organizations of crime control to the competitive interests and activities of two specific groups: ‘the capitalists and the working class.’ This rather narrow perspective clearly fails to take into account the views of a sizeable proportion of the upwardly mobile capitalist ‘working class’, and that definitions of what constitutes crime are widely consistent across the spectrum of politic-economic strata. Saying that, critical criminology certainly raises the moral and ethical questions of the inequalities in materialism and life-chances and the extent to which Authority may use their perception of the public to change correctional policies and to put pressure on the Criminal Justice System to behave in a way consistent with their, the Government’s, political beliefs. All this leads to a shift from a value-free social science perspective to a value-laden political science one so that, ultimately, it becomes impossible to ignore the

increasing influence in all stages of the criminal justice process of the most strident of the materialistic and moral elitist elements of society i.e. government by popularity poll.

Thus, radical criminology viewed increased State intervention as 'concerted attempts to secure the long-term allegiance of the working class as the necessary preconditions for safeguarding the core of the free-enterprise system and the rights of property' (Reiner, 1988). This increasingly interventionist intent of the State was seen as extending beyond simple police-orientated crime detection, prevention and control to a more pervasive effort to reduce the criminal features of the social structure by a range of social and welfare policies and by sponsoring research through the maintenance of the Home Office Research Unit and the Cambridge Institute of Criminology with the establishment fealty this implies. These trends, or accusations, are well detailed in Reiner (B.J. Crim, 2, 28, 138-158, 1988). Rock (1988) in the same series, chronicles the '70s as the high period of criminology followed by (deliberate?) reduction of funding and concomitant loss of personnel, retirement or emigration so that 'since that Golden Age of the '70s, no comparable body of young criminologists has been allowed to rise up to make their own mark on the world of theory.' He continues, 'It is the emergence of a routine competence now', whereas 'The earlier books...were usually bravura pieces, published versions of doctorates produced by graduates who worked in some intellectual isolation. They were the bold creations of lone autodidacts who forged new, venturesome, eccentric and sometimes precarious syntheses between Marxism and interactionism, or interactionism and cybernetics.' Now apparently in inexorable full cry, he concludes that criminology is now 'somewhat insecure, threatened by precarious funding in a country which has begun to devalue scholarship

and research' so that 'a law of diminishing marginal utility of academic criticism would hold that less and less will be gained by continual repetitious attacks on others.' He concludes that the Home Office Research and Planning Unit, the 'Goliath of the British criminological world', and the Cambridge Institute of Criminology, combined to shift the emphasis from objective empiricism and penology towards 'wider analysis of situational crime prevention, civil disorder, police-community relations and victimisation' (Clarke and Cornish, 1983) and in so doing, moved the sponsored researchers closer to the independent criminologists working in Universities. Effectively, Radical criminology was perceived as the antidote to the 'Positivism' which did not allow for placing crime within the socio-political arena. Young (1988) saw a particular irony in this evolution: 'crime related not to that which was peripheral to the society but, both in its material causes and in the values evoked, it related to those central to social order. And activities, whether they were thieving, rape or violence, were part of a continuum of behaviour rather than being apart from "normal" behaviour.'

Where, then, in this interpretation, is the vital bridge linking to the current research concerns of life imprisonment? Is it that the State, through its laws separating Life Imprisonment from all other forms of punishment, fails to acknowledge this continuum and, in so doing, obliges lifers to another political arena which is at least as fraught with the perils of 'false objectivity' as all the others? Young quotes Matza: 'The scholar's or scientist's way of becoming partially blind is, inadvertently perhaps, to structure or to take the connections for granted and leave the matter at that....' Perhaps even more cogently, Foucault, on the effects of making something a scientific question, said: '...by taking what is essentially a political problem, removing it from the realm of political

discourse, and recasting it in the neutral language of science – once this is accomplished the problems have become technical ones...where there (is) resistance or failure...this (is) construed as further proof of the need to reinforce and extend the power of experts.’ Who are the experts of the judgement of the ‘moral majority’; who are the arbiters of the public will? Clearly, penal policy and the consequent numbers and compositions of the prisons estate do not exist in a vacuum. They are part of the increasingly interventionist State which sees its’ responsibilities ‘stretching beyond negative crime-control measures to a broader responsibility for reducing criminogenic features of the social structure by a panoply of social and welfare policies’ (Reiner, 1988).

Implicit within these critical views is the message that the State can manifest its interests over indeterminate prisoners (in particular) at every stage in the criminal justice process and especially so within the imprisonment phase. The lack of accountability for decisions concerning lifers release and, therefore, terms of imprisonment, constitutes a form of tyranny. Radical and Critical Criminology offer inmates a way of addressing that tyranny legitimately. It is perhaps worth mentioning that there is also a potential tyranny in the therapeutic/reforming orientation as well. Inherent within indeterminate sentences, and the ways in which decisions about release are made, are the expectations that the inmates’ risk of reoffending is diminished by acknowledgement of some curative reform and acceptance of guilt. There is a fundamental imbalance in the organisational policies of the Prison Department which this review of the literature highlights.

All the official policy statements from the Prison management are concerned with the efficient processing of types and groups of prisoners. There is little or nothing in print as to the ethical and moral obligations

which should inform those policies and no official recognition of the minimum rights of prisoners. Given this 'moral vacuum', academic documents about theories of criminalisation, Functional versus Importational systems and the potential positive influence lifers may have on regimes will influence policies not one jot. Implicit within any statement of purpose which mentions the word humanity implicitly also must concern itself with the word justice. No model of justice for prisoners has any meaning without genuine commitment to accountability and to openness within the way prisoners are both treated during their imprisonment and, as importantly, released from it.

4.5 THE JUSTICE MODEL

There are two extraordinary interpretations of recent evolution in the primary function of imprisonment – rehabilitation versus justice. The extraordinary thing about my having to review these perspectives is that, in the fields of academic and, for lack of a better word, literary criminology, it seems that the 'experts' actually believed that 'From the end of the Second World War until the mid-1970s, there was virtual consensus that the progressive approach to offending was to try to eradicate the problems of social and environmental deprivation that engendered crime and delinquency, and to seek the rehabilitation of those who none the less found themselves on the wrong side of the law' (*Justice Through Punishment*, D. Hudson, 1987). My experience is that, for the vast majority of criminals who found themselves on the wrong side of the law (because they had, of their own volition, committed crimes), nothing much changed. Rehabilitation was always a marginal, fragmentary and compromised ideal which was seldom adequately funded, supported,

applied or evaluated such as to impact substantively on the Criminal Justice System.

In spite of Martinson's (1974) flawed and misinterpreted critique of treatment programme efficacy and, indeed Thornton's (1989) far more professional re-examination which actually established that the majority of treatment programmes, especially of the behavioural variety, actually worked, the political 'reforms' which the 'justice model' served up as an antidote to the apparently ineffectual rehabilitative approaches gave, in effect, free license to reducing the welfare and therapeutic elements of imprisonment to a minimum.

Hudson (1987), naively posits that 'the indeterminate sentence, and the concomitant discretion it gives to the institutional staff to determine release date, acts in an atomistic, divisive way, encouraging prisoners to express adherence to the values of the staff rather than forming any solidarity among themselves.' While it is in my view axiomatic that indeterminate sentences impose uniquely unjust pressures on prisoners to comply, it is not the prison staff who determine their release and it is certainly not true that lifers adhere to staff value systems and don't form solidarity amongst themselves. It is manifestly true however, that the indeterminate sentence is divisive and 'cruel and unusual punishment'. What is perhaps not adequately appreciated however is that the sentence was created as part of the justice model, being a retributive consequence of the abolition of the death penalty. It was never intended to be rehabilitative. The justice model has been the only real motivator of British prison philosophy to date. The only significant change is that it's come out of the closet and is now in high political dudgeon, unfettered by any liberal constraints. It is the values of the marketplace e.g. privatisation and Agency status, harnessed to the empowering of the

State (Home Office) as the interpreter and arbiter of the public will, and driven by good old-fashioned revenge. Nothing really very complicated there.

4.6 CONCLUSIONS

From these various theoretical and applied perspectives, it is important to apply Pease's (1988) summary evaluation of the significance of Farrington's study of unemployment, school leaving and crime (Farrington et. al., 1986) which 'provides a particularly good instance of the careful exclusion of possibilities through the imaginative conceptualisation of what could be happening allied with the technical ability to test the alternatives.' Practical experience of over 17 years working in prisons and with literally thousands of prisoners confirm this researcher's acceptance of Anomie theory's postulation that individuals turn to related behaviours (which translated means predominantly materialistic crimes such as theft, TDA and burglaries) when 'the relationship between goals and means is discrepant' i.e. they fail at conventional achievement 'rites of passage', that another key factor is moral commitment to the law which is formed by the early learning sociometrics of his family, peers and media perception. I would also give priority to the Importation perspective whereby these value systems are brought to bear on the environment of the prisons. Particular first-hand experience of the Prison Department's treatment of life sentence prisoners also leads me to identify more strongly with the Critical Criminology of Rock and Young than with the sociological strain which can do extensive research into lifer policy and conclude that 'Life imprisonment is the ultimate penalty and cornerstone of penal policy which has evolved as a well-considered and coherently managed sentence. In so far as

imprisonment is a necessary part of any sentencing system it serves as a model, providing for the prisoner's detention but geared to his eventual release and absorption into normal society. The whole process is carefully and humanely regulated with political sensitivity and a judicial involvement – with the unwritten power of veto – in the final decisions about length of sentence to be served and timing of release. This fusion of the judiciary and the Executive in making the release decision is a pragmatic and beneficial combination of justice and expediency that sustain the fairness of life imprisonment and compensate for the covert nature of its management' (*Licensed To Live*, Coker & Martin, 1985). It would be impossible to find a concluding statement more divergent from those of both the lifers themselves (see Home Office statistics, HMP Kingston lifers, to the House of Lords Select Committee, 1989) and of the judiciary (ref. European Court of Human Rights rulings, the recommendations of the House of Lords Select Committee and of the Criminal Justice Bill of 1991). The psychological evidence suggests that there is at worst limited enduring deterioration in the stability of prisoners serving long terms, but that whatever empirical tests may be applied to differentiating groups of offenders within prison, it is the perceptions of those who live and work within them that most influences whether the regimes are, finally, stable and humane.

It is reasonable to assume that many prisoners have, as Merton would presumably attest, become disassociated from societal norms of acceptable behaviour, that they had assimilated deviant norms and that they bring these patterns of perception and behaviour into prison with them. It is also reasonable to postulate that, if men serving indeterminate sentences are substantially distinguishable from those who are not, and further that they may be different in ways which bear upon their

individual and collective response to imprisonment and that these differences may be better understood in terms of the sociological criminological and psychological works reviewed here.

There are also many issues surrounding the implications of the rehabilitations and justice models, particularly as they apply to men serving life sentences, which permeate this work and which guide and inform its course.

CHAPTER 5

THE ADULT PRISONS – WAKEFIELD, GARTREE AND WORMWOOD SCRUBS (with supplementary data from GRENDON UNDERWOOD).

- 5.1 Main Centre Lifer Policy
- 5.2 Category A Security Status; Lifer Demographics
- 5.3 The prisons described: Regimes, Allocation and
Extended Interviews
- 5.4 Differences between Lifers and Fixed Sentence
samples:
 - a) before and
 - b) during imprisonment
- 5.5 Questionnaire results
- 5.6 Personality test results
- 5.7 Summary and conclusions

CHAPTER 5

THE ADULT PRISONS

5.1 MAIN CENTRE LIFER POLICY

This chapter focuses on the populations and regimes of the three Main Lifer Assessment Centres at Wakefield, Gartree and Wormwood Scrubs, with particular emphasis on the approximately 750 Lifers. Of this total, Wakefield hold the greatest numbers, at around 320, followed by Wormwood Scrubs with a total of almost 270 (most of whom live on D Wing separate from the rest of the population) and almost 150 at Gartree, the newest of the Centres.

In 1986 (Memorandum, P2 Division, 1986), the policy division of Prison headquarters recorded the official criteria in respect of the requirements of the Main Centres towards lifers:

- '1) To receive as soon as possible after sentence, life sentence prisoners allocated to Regions.
- 2) To give immediate support and reassurance, especially picking up family worries, psychiatric/emotional problems, suicide risks. To help the man settle and begin to come to terms with the sentence.
- 3) Within the concept of an active and positive regime, to make a thorough assessment of the man (involving staff of all disciplines

from the landing officer to the visiting psychiatrist). This assessment is important to Ministers in making a decision about tariff and to P2 (the policy division) in drawing up a career plan. We rely very heavily on the assessments of staff at each stage of the life sentence.

- 4) To identify likely short tariff cases and to give them particular priority in terms of assessment and early allocation to security Category C.
- 5) In longer tariff cases to offer firm advice to assist in career planning.
- 6) To begin to encourage the man in work, education and other activities which will elicit a positive response and contribute to positive career planning.'

Within these broad objective statements, the Centres were left to devise their own procedures for meeting them plus whatever else the local staff felt was appropriate in preparing lifers for their lives inside. The only statutory requirements were that they provide reports for Long-Term Review Boards, which were to be held at least annually.

Table 5.1 gives the total population figure available, by sentence length, for the Main Centres. The Wormwood Scrubs figures include lifers only, as statistics were only computer maintained for D Wing.

Table 5.1 *Main Centre populations, as of 1.7.89 by Sentence Length*

	LIFERS	Up to 4 yrs	4-6	7-10	11-15	15+	TOTALS
Wormwood Scrubs	273 (20.3%)	-	-	-	-	-	1,344
Gartree	130 (42%)	3 (1%)	41 (13%)	80 (26%)	37 (12%)	18 (6%)	309
Wakefield	330 (44%)	7 (1%)	208 (28%)	167 (22%)	32 (4%)	9 (1%)	753

It can be seen from this that all three prisons have a high proportion of very long term prisoners (particularly Gartree) including lifers. With both Gartree and Wakefield holding over 40% lifers, it also seems they would be considerably altered by the absence of these men who clearly influence their regimes by their number alone, apart from any more dynamic interpretation.

5.2 CATEGORY A SECURITY STATUS

Where prisons are felt to be of sufficient risk, notoriety or malevolent disposition to warrant the maximum security affordable i.e. Category A status, their lives immediately change dramatically. They are not unlocked from their cell until and unless there are at least three staff present – a Senior officer and two basic grade officers – and every time they are unlocked, it has to be recorded in a special log. Whatever the reason for the unlocking, the Category A man is escorted, even to the toilet. Category A prisoners’ lives are most closely restricted and controlled than any other individuals in the country, with the possible exception of some patients in the Special Hospitals. One of the reservations expressed as to the positive influence lifers have is that there are a significant number (minority) of lifers who are by no means well disposed – they tend to be grouped together as ‘terrorists and gangsters’

and the serial killers of national notoriety also tend to be in this group. It is fair to say, however, that these three categories of lifers almost always find themselves on the Category A list and, as a result, considerably less likely to influence the regimes of their prisons for good or ill, at least not by direct, personal example. The influence they do have is of course considerable but only in the sense that the constraints of this security categorisation imposes on higher minimum security for all prisoners. One Dispersal Governor described the Prison Departments' zeal in imposing them as 'almost pathological'.

The three Main Centres had, as of 1 July 1987, a total of 173 Category A prisoners and, according to the descriptions from the security offices of the prisons, the majority were in the terrorist, violent gangster or infamous categories mentioned earlier. As these mens' freedom of movement is enormously curtailed, it followed that whatever positive influence that came from the lifers was likely to come predominantly from the non-Category A lifers, the overwhelming majority of whom would be seen as domestic and/or criminally unsophisticated. This conclusion was further supported by figures from S2 Division (Statistics) of the Home Office and from the Home Office submissions to the House of Lords Select Committee on Murder and Life Imprisonment. Table 5.2 shows the total lifer population by offence type as of 31 December 1990.

Table 5.2 *Population of lifers, in prison, England and Wales, By Offence, as of 31.12.90*

	Murder	Mans-laughter	Att. Murder	Wounding	Sex	Arson	Other	Total
Number	2337	181	48	47	183	72	34	2902
Percent	80.5%	6.2%	1.7%	1.6%	6.2%	2.5%	1%	100%

It is worth noting for future reference that one in five of all lifers in this table were Discretionary i.e. the Judge had the option of a fixed sentence.

Tables 5.3 and 5.4 provide, respectively, the figures on the relationship between 250 lifers (murder) and their victims and the circumstances of the killings. Almost two-thirds of the victims (62%) were either related to or a close associate of the offender and one in three (32%) were family members or lovers. The growing impression is further clarified when we see that almost two-thirds (62.4%) of the emotional circumstances were described as 'rage' or 'jealousy/revenge'.

Table 5.3 *Relationship of Victim to Defendant*

	Number	Percentage Frequency	Cumulative
Son/Daughter	4	1.6%	1.6%
Parent	1	.4	2.0
Spouse/Cohabitee (incl. ex.)	38	15.2	17.2
Other Family (incl. ex.)	19	7.6	24.8
Lovers (incl. ex.)	19	7.6	32.4
Friend/Acquaintance	99	39.6	72.0
Other Associate	14	5.6	77.6
Stranger (terrorism)	1	.4	78.0
Other Stranger	55	22.0	100.0
Total	250	100.0	

Table 5.4 *Circumstances of Killing*

	Number	Percentage Frequency	Cumulative
Rage/Quarrel	115	46.0	46.0%
Jealousy/Revenge	41	16.4	62.4
Theft/Gain	54	21.6	84.0
Terrorism	1	.4	84.4
Gang fight	8	3.2	87.6
Other	18	7.2	94.8
Nothing apparent	11	4.4	99.2
Escaping/Avoiding Arrest	2	.8	100.0
Total	250	100.0	

The Home Office researchers (unnamed) who compiled the data concluded that the cases which could be described as 'domestic murder' cases were ones which, they contended, 'ought not to be considered as one of the worst offences', and that 'where there is evidence that the crimes were spontaneous' might 'carry only a maximum of life

imprisonment, rather than the mandatory condition which currently applies in law.'

Appendices D, E and F give, respectively, the comprehensive tables from S2 Division for: Life Sentence Population as of 31.12.90 Circumstances of Crime (Appendix D), Life Sentence Population as of 31.12.90 Analysis of Population by Method of Killing (Appendix E) and Analysis of Population as of 31.12.90 by Relationship to Victim (Appendix F). They were obtained after these tabled summaries and bear some comparison as, for example, the proportion of victims who were strangers in the total distribution is up to 33%, compared with only 22% for the sample.

The Home Office researcher furthered endorsed the impression that the majority of lifers were relatively criminally naive by explaining that 'In addition to the 49 murderers who had no previous convictions, 95 had not been given a custodial sentence of any sort. In other words, 58% began their life sentence without having any earlier experience of imprisonment.'

Before moving on to the comparisons of the lifers and non-lifers to the different prisons, it would serve us well to describe the prisons themselves, including the views of the staff and selected inmates who lived in them.

5.3 THE PRISONS DESCRIBED

WAKEFIELD

Wakefield takes more lifers than any other prison in the system and has the highest proportion of lifers of the Dispersal and Category B prisons as

well. The prison is located in a rather dilapidated and depressed fringe area of the city centre adjacent to a railway line. It is mid-Victorian architecture with all the buildings pressed against one another. There are no large open spaces, playing fields or green areas and the exercise yard is an inner courtyard surrounded by the massive walls of the four-storey main residential building on two sides and barbed wire-topped fencing on the other two. The dormitory wings of the main building radiate from the classic panoptican style of architecture typical of so many Victorian prisons, with a huge central rotunda-topped centre through which most inmate movements occur. The scale of the wings is massive, with up to 180 men living on each of the 4 wings, so that almost the entire population lives under one roof. The view from the top end of one wing landing down and through to the opposite end is at once impressive and depressing in scale and impact, reminiscent of Escher's 'Ascending and Descending'.

REGIME

The large, open wings appear both more tolerant and less physically secure than in most other dispersal prisons (I have visited every dispersal but one – Frankland.) Staff appear to have made a number of concessions to the high number of long-term prisoners e.g. communal cooking facilities, personalised decorations in rooms and dorms, greater choice in dorm-mates and less control over movements about the wings. The majority of prisoners leave the wings for work, education, etc. leaving a core of wing cleaners, 'rest-in cells/rest on wing' and Category As behind. The prison has a wide range of educational classes and vocational training workshops (15 as of 1987). Although it is difficult to summarise the relationships of such large numbers of staff and prisoners, and given the twin paramount constraints of all dispersals – security and

control – the majority of people peacefully coexist. Clear ground rules apply with a pre-dominantly keeper-kept attitude and fairly limited room for negotiation or challenge. The Wakefield officers pride themselves on a tradition which has meant, they maintained, there have never been riot or major act of indiscipline. They credited this considerable achievement usually to one or more of three factors:

- 1) the majority of staff being drawn from the area – Yorkshire – men (this was normally stated as implicit that they were steady, no-nonsense men who knew how to handle criminals, were less likely to change jobs and therefore more experienced in the 'Wakefield way').
- 2) related to this, staff were more in control of the prison while those at other Dispersals were too 'liberal' with inmates who, in turn, saw this as a weakness to be taken advantage of; and
- 3) according to staff, the prisoner population was predominantly white, long-term and Northern, a combination in their eyes far more stable than 'black', Southern and short-term.

These perceptions (and prejudices) raised questions addressed later about comparative compositions of these prisons and institutional offending rates. Little credence was given at Wakefield by the discipline officers questioned (N = 12) that having so many lifers was a stabilising influence on the regime.

ALLOCATION

The allocation of inmates to wings was guided by two main considerations – available space and advice from Security about potential risks to internal security. Wing compositions were monitored weekly

from a central computer and variables like race, sentence, history of prison violence or disorder as well as special information from the Security Office were taken into consideration in the management's efforts to maintain a stable population/regime.

EXTENDED INTERVIEWS

Lifer 1 had been at Wakefield for only 6 months, but had been in all the Dispersal prisons except Frankland and a total of 36 prison movements in an extraordinarily chequered career spanning 12 years. He was emphatic that the majority of lifers were a stabilising influence, in that they tended to get into a routine, 'taking each day as it comes' such that 'If anything interrupts this, it puts you on edge.' The routine provided security, 'It's almost like thumb-sucking' and if someone threatens this, 'They'll (lifers) say "Leave it out...we'll give you a hard time."' He also explained that many long-term non-lifers, serving over 10 years, would tend to join the lifers in running the wing and respecting this need. The stability and influence tended to come from the older lifers or those that had been in for a number of years: 'The fact is, the lifers tended to control what goes on in the wing, you know, drugs and that...anyway, it tends to give you a pretty tight hold on what goes on on the wing. Control of drugs gives you power, financial freedom and more respect.'

If there was going to be trouble, lifers also had a more flexible option to decline involvement i.e. they'd got too much to loose which the majority of the rest would respect.

This lifer wasn't sure if lifers should be separated or not, but opined that there should definitely be some separation at some stages for most lifers. He also said that an all lifer environment could be very 'moody...it's like all lifers tick and you can almost hear it.'

The Home Office policies regarding lifers were, according to the two Wakefield lifers, 'naive' and too secretive, with the second lifer arguing that it would be 'far more beneficial to know why he's (lifer) being knocked back'. The two non-lifers were in agreement that lifers were reasonably well treated at Wakefield and tended to get most of the perks and benefits going as a kind of compensation for such long and indeterminate sentences, but there was also some concern, even fear, for the most notorious lifers, who had frightening reputations of unexpected violence, even killing, towards both staff and other inmates. This very small number of lifers, only 3 or 4 referred to, were seen as having no chance of ever being released and thus uninhibited by any external constraint. Apart from wanting these men removed from normal location (as had already happened with two of them), the non-lifers felt that everyone got on reasonably well together, with most lifers being preferable to socialise with to non-lifers.

GARTREE

Gartree is a modern prison several miles outside the town of Market Harborough and remote from any built-up area. It is a smaller scale prison to either Wakefield or Wormwood Scrubs, housing a total population of only 310 in conditions of rather more obvious, technologically sophisticated security, a fact emphasized by there being almost 20% of the population on Category A status. The proportion of lifers has grown steadily since 1982 when Gartree became a Main Centre, from the first intake of 50 to the current (1987) figure of 133 (43%). As with Wakefield, the lifers were distributed in roughly equal numbers around the 4 wings. 99 lifers were 'Main Centre' i.e. for assessment, the rest were 'second stagers' i.e. men who are already beyond the 4 year stage.

During interview with the Governors responsible for lifers, the administrative priorities were apparent.

REGIME

The most popular impression expressed by the uniform staff interviewed (N = 8) was that, after very serious rioting prior to becoming a Main Centre, there had been much less trouble and greater stability. The Governor's view was that lifers have such pressure to conform that they behave well but that they were not a stabilising influence. The positive influence was due almost entirely to weight of numbers. The regime was also said to have become tougher on lifers than was necessary to keep them secure but that the security was for the more subversive elements, particularly the risks presented by the 53 Category A prisoners. Another Governor spoke of the lack of any ethical difficulties in spreading lifers, whatever their offence, around the Dispersal prisons and added he could see none: 'because as far as the public is concerned, you could hang them anyway.' He also felt there was a positive deterrent value in putting lifers into Dispersals as: 'a high proportion of young lifers commit their crimes for profit and deserved their sentences.' A third Governor, responsible for Gartree's Category As, indicated lifers were allocated strictly on a space available basis unless there were particular security constraints. He was not aware of any Gartree lifer policy, that their quality of life was not diminished in any way and were likely in some ways to be enhanced. He opined that it was the numbers of lifers which made them stabilising and that they were not a positive influence individually, concluding that 'we give them a good life here.'

These views were echoed by a very experienced wing Principal Officer, who also felt that such positive influence as did pertain was more to do with indeterminacy than any differences in personalities.

ASSESSMENT/ALLOCATION

As Gartree operates at or near capacity, allocation is almost exclusively on 'space available' grounds. The PO conceded that 'The security implications of controlling Category As does diminish the quality of life for the Lifers.' In spite of this rather austere, even harsh, policy, there were an impressive array of instructions, courses and events designed specifically for lifers at Gartree. A Lifer Information handout, lifer discussion groups and some enthusiastic staff involvement were particular features of this commitment. The lifers were also invited to attend the Long Term Review Boards, an element of greater involvement which Gartree was one of the first to introduce. The formal allocation policy was based on:

- 1) Security Category. The successful control of the Category A prisoners always coming first regardless of sentence length or offence type.
- 2) Respond to the wings' requests concerning the current wing mix e.g. keeping a balance in terms of security, reputation, race and known prison relationships, and
- 3) allocation took no account of lifer status; security and stability were THE criteria.

The Governor responsible for lifers at Gartree in 1986 had recently completed a survey of the prison's development as a Main Centre and, in a thorough analyses of the progress and problems, concluded that 'The

picture we get, however, is of Gartree – a prison with more facilities than either of the other main centres, and an infinitely more manageable number of lifers, now settling down and retaining much of the initial enthusiasm for this part of the job.'

Figure 5.1 gives the Daily Routine at Gartree which, as an example, is comparable to those of the other two Centres in the study.

FIGURE 5.1 Daily Routine - Gartree Prison

MONDAY–FRIDAY: Time out of cell = 10 hours/45 minutes

- 0700 Kitchen party unlocked
- 0800 Breakfast
- 0840 Labour Movement
- 0900 Classes
- 1130 Classes finish
- 1145 Labour movement
- 1150 Lunch served
- 1215 Rolls check – inmates locked up
- 1340 Labour movement
- 1400 Visits commence/Classes
- 1615 Classes finish
- 1630 Cease labour
- 1640 Tea – lock up
- 1800 Association, Canteen, Library
- 1805 Evening Classes (Tuesday, Wednesday)
- 1945 Classes finish
- 2000 Library etc. finish/Association end – lock up

EXTENDED INTERVIEWS

During extended interviews with 4 inmates (2 lifer, 2 non-lifer on 2 different wings), a rather different picture of Gartree emerged. Prisoner 1 was serving a long fixed term of 10 years and had been at Gartree for 3, all on the same wing. He felt that the Prison Service had fed domestic lifers gradually onto the wings since the inclusion as a Main Centre to 'divide and conquer'. He affirmed that such lifers were definitely 'calming – if anything was to happen, you'd be without their support'. Fixed termers were, he felt, more likely to cause trouble. He recalled that in the 1970s, when he'd served several years inside, if anything happened to an inmate e.g. 'roughed up by staff', there was solidarity among inmates, an atmosphere of togetherness, with a limited number of Dispersals and a large number of prisoners who already know each other inside and outside prisons – 'you could be blacklisted if you didn't support us; you were in it or against us.' Asked what the effects would be if the Department separated lifers, he said there would be a very big improvement, as too many lifers had nothing to lose. He felt the violence at Gartree was mainly lifer against lifer; personal grievances, not 'concerted acts of indiscipline'. He concluded that 'if I had the reins of power, I'd do exactly the same (as the Department) but that doesn't make it right.' He concluded that there was a lot of cannabis on the wings and that this, more than anything else, really helped to calm things down. Shortly after this interview, another prisoner came up to me and volunteered, in an aggressive manner, that drugs at Gartree 'keeps the lid on this place', referring especially to Cannabis. Prisoner 2 was serving 12 years for manslaughter (reduced from a Murder charge) and had been at Gartree for 21½ years. He denied that lifers were a stabilising influence as well but said they were quieter as they had more to lose. He said that

most, '95%', of his wing were doing 10 years or more and wanted things quiet. He recalled that, when he'd been doing Life before his sentence was reduced, he'd wanted to separate from the fixed sentence inmates as 'I couldn't see the end of it and I had to mix with them going out and it made it...like you could be hurt seeing them going.'

Lifer 1 said that 'Lifers were not special influences – it's down to everybody' yet went on to observe lifers did 'sort others out if there's any trouble e.g. arguing, shouting.' They did this, he said, because lifers know they suffer so 'it's in their interest – a quieter, smoother life.' Asked if lifers should be separated, he felt this would be 'Good, if they'd give us back all our (lifer) privileges. Recently, the last year or two, we've lost a lot e.g. visiting other wings, extra gym, canteen jobs (two short-termers in Canteen, so we're out of it). Fresh Start also caused less freedom.'

Lifer 2 agreed they kept it quiet: 'We don't know how long we'll do – it's wrong that we've got everything to lose.' He advocated lifers having separate wings because 'Fixed sentence made trouble. Before, when I was first arrived, it was beautiful, but now we can't do nothing. I've lost my job – butcher – same job as outside – and most of my privileges.' He concluded that the regime was 'too controlled; too many mental. Why can't they give us some credit. They're too petty; too many rules.'

WORMWOOD SCRUBS

Like Wakefield, Wormwood Scrubs is a mid-Victorian prison now set in a sprawling West London suburb. Unlike either of the other Main Centres, lifers are separate from the rest with the Main Centre function self-contained in D Wing, housing up to 230 prisoners. At the time of research data collection (Summer, 1989), there were 180 lifers with the remaining

non-lifers being temporarily housed on the wing due to major construction work elsewhere in the prison.

REGIME

The layout of D Wing is similar to Wakefield's i.e. an open, very large space on 4 levels with perimeter walkways (landings) abutted by mesh wire netting for safety. The ground floor is the centre of activity, with all the offices/interview rooms along the wall or in a row down the central front half of the wing. There was an atmosphere of relative calm most of the time, with the collective familiarity which seemed to breed a reassuring peripheral hum of activity. There was a feeling, impossible to substantiate empirically, far more reassuring than in either Wakefield or Gartree. Where Wakefield's size and noise, and the sights of the inmates' expressions and movements, left me feeling vulnerable, and Gartree's small, warren-like wings and often surly prisoners caused me to feel unwelcome, even at risk, the Scrubs' D Wing was almost friendly. The staff were the most helpful of the three prisons and the inmates most co-operative. The views of the Governor, staff and inmates tended to support these impressions.

The Governor of the prison said their policy for lifers was a) to keep them in prison, b) to not lose the D Wing facility. He elaborated with objectives which included getting lifers' careers off to a good and constructive start by helping them to plan things themselves, come to terms with prison and deal with community life. He had mixed views about the benefits of separating the lifers, disadvantages including that they should not see themselves as special, 'the sentence is the only distinction' and that they shouldn't be protected from the inevitable prison culture ahead. He accepted that the advantages were aspects of

the same dimension i.e. mainly to reduce the frustrations of living with fixed termers and to allow the team of staff to focus on the lifers assessment needs most clearly. The national instructions he avowed, were 'seldom used because they're not much good.' He expressed great concern about forthcoming policy plans from the Department of Category A prisoners and prisons which he described as 'almost pathological' in their concern for security and control. He felt these plans would make life inside worse for lifers especially those on Category A status. He was also critical of a new range of regime allocations which, he feared, would result in lifers getting 'fitted into tightly controlled batches' and thus over-controlled. The Governor in charge of D Wing said: 'We operate independent of the rest of Wormwood Scrubs and we prefer it because our needs are totally different.' He said these differences were that the lifers were from different cultural background, that half of the compulsory lifers had no previous convictions and that the majority were 'just like us in class, education and age.' He had a strongly paternalistic view e.g. policy for D Wing was 'up to me; I am the authority here.' He said there were high levels of stress but that he worked well with P2 Division, although he felt their policy statements were 'irrelevant'. The regime on D Wing was 'active, varied and stimulating' and lifers could 'work off guilt by doing constructive work.' The stabilising effect of lifers was only possible, he felt, if the lifers were separated, but subject to unfair pressures they were liable to become unsettled when mixed with a majority of fixed termers. He would keep lifers separate as a matter of national policy. Sadly for lifers, he saw policies made on the basis of pre-emptive security which he avowed was unfortunate, as within the Category As was a 'dangerous and psychopathic element'. Much of the staff's mentality concerning reducing the security category of prisoners

was motivated by a fear of making a mistake, thus creating the 'ludicrous rigmarole' of decategorisation.

ALLOCATION

As D Wing was a relatively self-contained Main Centre, lifers were not allocated to the main prison wings. The D Wing staff held interesting views as to what they felt should be national allocation policy for lifers. The Lifer Governor felt lifers should be allocated according to the facilities they require to re-enter the outside world, that security classification was redundant and that prison behaviour was largely irrelevant to re-conviction. The Probation Officer supported the view that lifers should be separated throughout the system on the additional grounds that they have to live with so much uncertainty, that many more lifers were badly shaken and disturbed by the effects of their trials and sentences and that it was unethical to use lifers to 'attempt to suppress the behaviour of others'. The wing staff (Principal Officer, Senior Office and two officers) interviewed had a thorough knowledge of HQ procedures for Main Centres, lifer Boards and casework. They too resisted mixing lifers with fixed termers as they had experienced the problems where they 'take on the system', challenging staffs' authority with the relative impunity that came from having an ultimate release date. Fixed termers were a greater risk of acts of indiscipline with leaders who suffered from the 'plastic gangster syndrome'. D Wing had, they felt, a good regime which the inmates ensured was stable and where the tolerance for 'Rule 43s' was high. They felt lifers should be separated for the first few years in all Main Centres, then gradually introduced into mixing with fixed termers as they, the lifers, approached their own release, or at least the prospect of it.

EXTENDED INTERVIEWS

The D Wing inmates interviewed (N = 4) agreed with staff in most respects. Lifer 1 had been on D Wing for 6 years and previously on Category A status. He felt that D Wing specifically and separation generally was ideal for starting a life sentence because of the time it took most lifers to come to terms with their sentences and because the resentment most felt when had to live in direct contact with men who are always being released. Lifers tend, he saw, to live a low profile existence, trying to get along with staff because they appreciated they would be spending years together and because 'you know you've GOT to control yourself. Yet, in other prisons, lifers are used to control others. I don't think it's fair, to be honest.' Lifer 2 corroborated this. A Category A man who'd been on D Wing for 2½ years, he said the 'sociometrics of the wing were good' and the 'fact that most are lifers...keeps the wing stable'. He also felt it was unethical to use lifers to stabilise other prisons 'like Gartree' adding that 'we don't even talk about going from here...with the fixed sentence blokes, the less it (sentence length) is, the worse for us'. He too recommended starting lifers off separate for some years, then mixing when 'you can cope better and are looking at possible dates'. Lifer 3 added: 'Prisons are reluctant to get rid of good lifers and Category As, because they knew they could get someone worse. We don't have a problem because everyone has the same attitude. D Wing's not based on power or drugs, it's based on sensible people who get to the top'. Lifer 4 added that he felt lifers should be separate for the first 3 to 5 years.

5.4 DIFFERENCES BETWEEN LIFERS AND FIXED SENTENCE SAMPLES: A) BEFORE AND B) DURING IMPRISONMENT

In order to establish whether there were any differences between lifers and non-lifers, the following comparisons were made:

- The frequency of serious institutional offending, as measured by Governor's Reports, for a range of Category B prisons, controlling for the proportion of lifers in the population.
- The rates of serious offending for lifer and non-lifer samples within the same Category B prison.
- The results of samples of lifers and non-lifers on extended questionnaires covering a wide range of pre-prison and current prison views and
- historical and institutional data collected from personal records on a large range of variables:

pre-prison:	Age, marital status, race and psychiatric history
prison:	Offence, sentence length, number and type of previous offences, security category, previous custody and 6 indices of institutional disruptiveness or instability.

Table 5.5 gives the frequency of Governor's Reports for three types of Category B prisons: those with a) no lifers, b) between 5 and 50% lifers and c) all lifers. This somewhat rudimentary comparison, whilst saying nothing about the differences in size or quality of regime, at least begins the correlational nature of the analysis.

Table 5.5 *Category B and Local Prisons – Governors Reports, Rates of Offending and Number of Lifers (1 April to 31 December 1989)*

PRISON	Population	Reports	Rate/Inmate	Lifers	(%)
Bedford	312	317	1.0	0	
Oxford	189	150	.8	0	
Shepton Mallet	239	132	.6	0	
Blundeston	402	222	.5	24	(6%)
Frankland	386	205	.5	36	(9%)
Nottingham	291	114	.4	39	(13%)
Lewes	131	29	.3	36	(27%)
Gartree	313	128	.4	130	(42%)
Kingston	148	5	-	148	(100%)

(Source: *Prison Statistics England and Wales, 1989, HMSO*)

There is a clear, strong and inverse correlation i.e. the higher the proportion of lifers, the lower the number and rate of offending, regardless of the size or nature of the prison. The figures however say nothing as to the comparative rates of offending between lifers and non-lifers controlling for the influence of the regime of the prison. Table 5.5 gives the numbers and proportions of Governors' Reports in Gartree comparing lifers and non-lifers for the total population for 1991.

Table 5.6 *Governors' Reports, Gartree, Lifers-Nonlifers 1991 (N = 235)*

	LIFERS	NON-LIFERS
On Report	65 (41%)	58 (75%)
Not on Report	93 (59%)	19 (25%)
Total	158	77

($\chi = 24.6$, $df = 1$, $P \leq .001$)

It can be seen that the lifers were significantly less likely to offend against Prison Rules. However, the lifers who did offend were more likely to

commit more than one offence. The 65 lifers had an average of 2.4 Reports compared to 2.06 for the 58 non-lifers. Also, there were interesting differences in the types of offences between the two groups. Table 5.7 compares the category, or 'charge code' for the two samples.

Table 5.7 Governors Reports, 1991. Gartree samples, Lifer and Non-lifers comparing type and distribution

CATEGORY	FREQUENCY		PERCENTAGE	
	Lifers	Non-lifers	Lifers	Non-Lifers
Offences Against Discipline	73	55	46%	46%
Refuses to go to Work	21	2	13%	2%
Fighting, Assaults, Abusive Conduct	31	34	20%	28%
Unauthorised Possession	9	17	6%	14%
Absent without consent	15	7	10%	6%

Comment: The lifers were almost three times as likely to be placed on report for acts of passive defiance e.g. refusing to go to work or leaving work without permission. The non-lifers were more likely to be placed on report for acts of aggression, abuse or unauthorised possession, which is the common category for drug-related offences.

The final comparison is for Wakefield and Gartree samples for age, marital status, race, psychiatric history, previous convictions and previous custody (not accessible for Wormwood Scrubs at the time of collection). Having seen there are significant or appreciable differences in institutional behaviour, at least in terms of offending, what background characteristics further differentiate the lifers from the rest?. Table 5.8 summarises the results.

The next stage of analysis looks at the other indices of prison behaviour which tend to reflect different aspects of instability.

- 1) *Circular Instruction 10 of 1974.* Where prison Governors are advised that there is the risk of a serious disturbance such as a fight involving several inmates, where there has been cumulative Security information that individuals have been trafficking in drugs or where there are special tensions attributed to individuals but where there may be insufficient evidence to actually intervene formally by placing the man on Report, etc., the number one Governor (note: all prisons have several Governor grade staff; the top one is usually referred to as number one), has the option to transfer men without proof of culpability or explaining to the man himself.

- 2) *Rule 43–Own Protection.* An inmate may ask to be removed from normal location on a prison wing, dorm or landing if he feels he is at risk. This procedure is normally the sanctuary option for sex offenders or other men with particularly onerous crimes, those who have accumulated bad debts or first offenders who have been subjected to specific pressures e.g. threats of violence of sexual abuse. The number of inmates voluntarily going onto Rule 43–OP has increased steadily over recent years, and have been expanded by a new category termed Vulnerable Prisoner Units (VPUs), which are meant for longer term stays. Figures had not been systematically collected until April 1989, but as of March 1990 there were:
 - 2,105 adult males, 20 adult females, 181 males under 21 and 4 females under 21

segregated for their own protection, a total of 2,331 prisoners needing Rule 43 protection. In addition, there were:

- about 225 vulnerable inmates held in 'units which do not need Rule 43 controls' and
- 668 inmates needing long term protection in national or regional VPUs. The grand total of 3,224 means that 7%, or one in every 14 prisoners in our system needed to be protected from the rest!

- 3) *Rule 43–Good Order and Discipline* – Prison governors also have the option of placing a recalcitrant or fractious inmate on R43–GOAD, which in practice means he is normally placed on the Segregation Unit, without the normal benefits of the adjudication procedures afforded someone placed on Governors Report. This is generally seen as a measure short of CI 10/74, but denoting suspicions more subversive or sinister than the more straight-forward Report forum.
- 4) *Other* – Three other indices will be compared including Governors Reports, Conviction for drugs involvement and numbers of assaults (on staff or other inmates).

Tables 5.9, 5.10 and 5.11 gives these totals for, respectively, Wakefield and Gartree samples of lifers and non-lifers (N = 30 each) for

- 1) prior to current prison,
- 2) during current prisons and
- 3) totals, plus a second total adjusted for different times.

Table 5.9 *Indices of Institutional Offending and Instability prior to transfer to Main Centre, Wakefield/Gartree (Samples N = 30 Each)*

	CI 10/74	R43-OP	R43-GOAD	Reports	Drugs	Assaults
Wakefield Lifers	1	5	1	10	0	0
Wakefield Fixers	1	8	4	13	1	2
Gartree Lifers	1	5	5	17	1	2
Gartree Fixed	5	2	7	21	6	5

Average Time on this Sentence: Wakefield, lifers = 34.4 months
 " fixed = 19.6 "
 Gartree, lifers = 49.2 "
 " fixed = 42.0 "

Table 5.10 *Indices of Institutions Offending and Instability in Main Centres, Wakefield/Gartree (Samples N = 30)*

	CI 10/74	R43-OP	R43-GOAD	Reports	Drugs	Assaults
Wakefield Lifers	0	1	2	15	N/A	1
Wakefield Fixed	1	1	4	12	N/A	3
Gartree Lifers	1	0	1	11	N/A	4
Gartree Fixed	0	0	0	9	N/A	5

Comment: In order to compare these figures, we need to multiply the Wakefield Fixed inmate totals by a factor of 1.76 (34.4 mos:19.6) and the Gartree totals by 1.2 (49.2 to 42.0), and then combine totals for both tables.

Table 5.11 gives the combined total for each prison, lifers, non-lifers and totals corrected for time 'at risk' i.e. the shorter fixed sentence samples totals were multiplied by the factor proportionate to the times served by the lifers.

Table 5.11 *Indices of Institutional Offending and Instability, Totals and Corrected for Time Served, Lifers and Fixed Sentence (Samples N = 30 Each)*

	CI 10/74	R43-OP	R43-GOAD	Reports	Drugs	Assaults
Wakefield, Lifers	1	6	3	25	0	1
Gartree, Lifers	2	5	6	28	1	6
TOTAL	<u>3</u>	<u>11</u>	<u>9</u>	<u>53</u>	N/A	<u>7</u>
Wakefield, Fixed	2	9	8	26	1	5
Gartree, Fixed	5	2	7	30	6	5
TOTAL	<u>7</u>	<u>11</u>	<u>15</u>	<u>56</u>	N/A	<u>15</u>
TOTAL Corrected	9.5	18.2	22.4	82	N/A	21

Comment: It is apparent, when comparing these totals and controlling for time at risk, that the lifers are far less likely to have been transferred for disciplinary reasons to another prison, to have been placed on Governor's Report, especially for offending against 'good order and discipline', to have assaulted either another inmate or staff and, finally, even to have asked to be placed on protective Rule 43 for their own protection. The earlier two tables also tend to support the conclusion that these differences applied both within and between prisons and were presumably therefore more to do with the lifers as a group than with environmental differences.

From these tables and the Appendices, we are able to conclude that:

- over 80% of all lifers are convicted of Murder, with over one in 10 serving life for non-fatal offences such as Sex, Arson or Wounding.
- Although almost half (45%) of the sample of 250 murderers were officially described as 'domestic' and could be considered for Discretionary sentences were the law changed, fewer than 10% of lifers who are assessed in Main Centres are allowed to progress directly to lower security conditions.

- The higher the proportion of lifers in a random selection of Category B and local prisons, the lower the institutional rate of serious offending. Equally,
- The rate of serious offending for random samples of lifers in the same prison was significantly lower than that for non-lifers.
- Lifers in two Main Centres compared were more likely to be married and significantly more likely not to have divorced.
- These same lifers were also significantly less likely to have previous convictions or to have served previous custodial sentences.
- The lifers sampled were less likely to have been segregated or transferred for disciplinary or reasons of suspicion of subversiveness.

On every measure applied so far, the lifers have been positively distinguishable from the non-lifers. The inmates themselves, in the Extended Interviews, independently corroborated these findings. What then are the first-hand accounts of large numbers of prisoners in all the prisons sampled?

5.5 QUESTIONNAIRE RESULTS

Samples of up to 30 inmates, lifers and non-lifers, from each of the 3 Main Centres (excluding Wormwood Scrubs non-lifers) were given a 40-item questionnaire which addressed:

- 1) Attitudes to Crime – 6 questions concerning their own accounts of the onset and reasons for their criminality.

- 2) Family and Peer Groups – 9 questions concerning formative influences recalled.
- 3) Institutions – 2 question groupings (4 subsidiary) on schooling and local Authority Care.
- 4) Visits and correspondence – 6 questions concerning the frequencies and significance of these.
- 5) Alienation – 3 questions addressing possible societal alienation.
- 6) Attitudes to Prison – 12 questions about their adjustment to prison.

A copy of the questionnaire appears as Appendix B.

ADMINISTRATION

The questionnaires were handed out personally to all the samples in the 5 institutions. Minimum sample size was originally targeted at 30, so that a total of 100 questionnaires were individually distributed and explained at Wakefield, the first adult prison researched and the complete populations of F and G Wings at Aylesbury YCC. The researcher introduced himself and explained the purpose and voluntary nature of the exercise. If the inmate agreed to complete the form, further instructions were given that, upon completion (he was left to complete during the day, in his cell) it should be sealed in an envelope provided and collected later that same day, either by the researcher personally or by a member of the prison's own Psychology Department.

Return rates were remarkably consistent across the 3 adult prisons:

Wakefield	= 21 lifers/23 fixed
Gartree	= 24 lifers/22 fixed
Wormwood Scrubs	= 21 lifers/0 fixed (none interviewed)

RESULTS

Results are given in the groupings of the questionnaire i.e. A. Attitudes to Crime, B. Family, etc., and are tabled with commentary and elaboration summarised for each group.

5.5.1 Attitudes to crime

There were no significant differences between groups on age at first offence, except that the Wakefield lifers were just over 18 years old where all the other samples were between 13 and 14½ years at onset.

Q2. *Why do you think you started committing crimes?*

There were no significant differences between the lifers and non-lifers (totalled for the 3 prisons' samples), but when the first three explanations are combined (boredom, excitement, influence of friends), the non-lifers are twice as likely ($\chi^2 = 7.83$, $df = 1$, $P = .01$) to give these as reasons for starting their criminal lives. This suggests higher peer group influence and/or involvement with peer groups at onset.

Q3. *Do you think of yourself as a criminal?*

LIFERS					NON-LIFERS			
	Wake.	Gart.	W.S.	Total	Wake.	Gart.	W.S.	Total
Yes	7 (33%)	9 (37%)	5 (24%)	21 (32%)	9 (41%)	6 (27%)	N/A	15 (34%)
No	14 (67%)	15 (73%)	16 (76%)	45 (68%)	13 (59%)	16 (73%)	N/A	29 (66%)

Comment: Although there is no significant difference between groups, it is interesting that two-thirds of the 100 inmates sampled did not consider themselves criminal. The main reasons given for those who did regard themselves as criminals were an

acceptance of the facts of conviction and imprisonment. Those who denied criminality included diminished responsibility, 'once-off' and crimes of passion not gain, and innocence.

Q4. Which of the following do you think would regard you as a criminal - your family? Friends? The Police? Does this bother you?

The non-lifers were more likely to feel they'd be regarded as criminal than were the lifers and all were overwhelmingly resigned that the police regarded them as criminal.

Of the lifers, 15% felt their family regarded them as criminal, compared to 25% of the non-lifers; 14% felt their friends did (26%, non-lifers) and 77% felt the Police did (91%, non-lifers). When asked if they pleaded guilty to their current offence, *Question 5*, the lifers were significantly ($\chi^2 = 4.8$, $P \leq .05$) less likely to say yes, 44% compared to 65% of the non-lifers. When asked if they regretted what they'd done, and if so, why, the lifers (perhaps not surprisingly) were significantly ($\chi^2 = 32.74$, $P \leq .001$) more likely to say yes, 86% to 67%. Excluding the Gartree lifers (72%, yes), the difference is even higher, with 95% of the remaining lifers regretting their current crimes.

SUMMARY

On balance, the lifers sampled were slightly older men who were less influenced by their peers or the need for excitement in their criminal beginnings. They don't tend to regard themselves as criminal and, apart from the police, don't feel that those close to them so regard them either. The most frequently given reason for not pleading guilty was on legal advice from counsel yet they were far more likely to express regret for their crimes. These patterns of responding add to the picture of lifers

being both a different, if overlapping, group to the non-lifers and qualitatively distinct in aspects of lifestyle and contrition.

5.5.2 Family

Only 60% of the men recalled happy family backgrounds, including 50% of the lifers and 67% of the non-lifers. There were frequent accounts however, of violence and/or serious arguing in 20 of the 66 lifers cases (30%) but only 5 of the 42 non-lifers (12%). This question evoked extensive and frequently moving accounts of childhood in many of the men, particularly regarding the death of one or both parents, divorce, alcoholism of father and related aggression or abuse as children and of being placed in Care. There were, again, rather more of these accounts from lifers. A significantly lower proportion of lifers said their parents were still together, only 38% compared to 63% of the non-lifers. Response patterns to the next two questions, Q9 and Q10, were combined. There were no distinctive patterns between the two groups in whose opinions mattered most to them, with the obvious choices of family, parents, friends and children accounting for the great majority. The lifers however, again perhaps not surprisingly, used far stronger language in describing the impact their crimes had had on these most significant others. Over half of the Wakefield and W. Scrubs lifers (24 of 42, 57%) described the reactions as disgust, heartbroken, devastated, very shocked and hurt and 'gutted'. The Gartree lifers were more similar in their replies to the fixed sentence samples, with only 7 of 24 (29%) using such strong language. Q11 asked if they were the first in their families to commit crimes and the responses for the two samples were almost identical, totalling to 73% 'Yes' overall (79 of 108). It was quite surprising that only 3 of 21 of the Wakefield Fixed termers said they were not the first. Finally, in this section of questions, they were asked if their

childhood memories were mostly happy ones. The fixed termers were NOT significantly more likely to say 'Yes', 79% to 62% of the lifers.

5.5.3 Friends, Institutions and Alienation

This section summarises the responses of 8 questions in three related areas, all of which concerned the mens' pre-prison experiences. *Q13* asked the extent of criminal experiences among their friends. Lifers' friends were more likely to have not been criminal (37%, versus 20% of the non-lifers, had committed no crimes). There were no significant differences in their prior interests in minority groups e.g. those which might indicate an alienation from conventional pursuits. *Question 15* asked if their behaviour with others had often come into conflict with their private 'conscience'. The lifers were more likely to say they had done things they felt were wrong (42% to 29%), but at a level which just failed to reach significance. The majority of all samples said they'd enjoyed school, had not been kicked out and had truanted from time to time, with no significant differences between groups. Almost a third of the total of 109 men (34, 31%) said they'd been placed in Care of the local authority, with a higher proportion of the non-lifers (38% to 26%) so indicating. *Question 26* asked if they felt alienated from society and 62% of the total said they did, with no difference between groups. Few commented on whether they rejected or felt rejected by society. The majority of lifers made positive comments about the need for Society to have rules and regulations (63% to 33%), significantly higher than the non-lifers, with this particularly so among the lifers at Wakefield (9 of 11 made positive comment). Asked if these views about rules might have influenced their offending, the majority (45 of 61, 74%) said 'No', with no significant difference between groups.

SUMMARY

The lifers again, as a group, can be differentiated somewhat from the fixed sentence men in terms of their accounts of formative experiences. They are less likely to have had criminal friends, more likely to express a sense of wrong-doing and to affirm the rules and regulations in Society generally. Given the anonymity of the questionnaires, it is reasonable to assume they weren't trying to give a falsely favourable impression. It is worth noting that the questionnaire was reasonably well received by the inmates who, given the anonymity, were free to decline involvement and, equally, could have responded abusively, with impunity, to a 'civilian' outsider without any immediate reward to offer for cooperation. The overall return rate of 45% was considered to be quite good under the circumstances and sufficient to provide a relatively accurate response pattern overall.

Structured questionnaires have acknowledged limitations in terms of their flexibility and 'validity' i.e. measuring what they purport to measure. The response pattern is subject as well to such confounding variables as time of day, general regime atmosphere or 'critical events' and comprehension. On this last point, the researcher volunteered to assist with the reading or explanations for any respondent and only three took up the request, suggesting that comprehension was good. There were no questionnaires with answers which suggested misunderstanding.

5.5.4 Correspondence/visits

The second half of the questions (there were 20 questions about pre-prison and 20 about prison life) concern, firstly, the importance of contact with the outside world, especially ties with their families and friends etc.

The final, largest section concerns their views about life inside, with a total of 12 questions.

Q18 asked if they received visits and letters from family and friends and 91% received one or the other with only 4 lifers and 6 non-lifers not in contact with family or friends. Q19 confirmed that the lifers were more likely to be visited, with only 4 of 66 (6%) not visited compared to 13 of 45 (29%) of non-lifers. A large majority of both groups recorded that their visits (65% of lifers; 84% non-lifers) were either 'very important' or 'Essential', and their letters were seen as of roughly comparable (71% of lifers; 75% of non-lifers) importance. There was, therefore, no discernible difference in the significance attached to these contacts. The next four questions were informative of the nature and purpose of the letters and visits, but didn't serve to differentiate the lifers and non-lifers.

5.5.5 Attitudes to Prison

The samples were asked first what was their attitude on coming into the Main Centre (Q29). Although there was little difference in the proportion of those who were positive – about two thirds overall, a higher proportion of lifers expressed details indicating they were confused, distressed or 'mixed-up', presumably as a consequence of the recent imposition of a Life Sentence. Of the 49 men who replied to Q30 ('Have your feelings changed in the time you've been here?'), 30 were lifers. The majority, 29 of 49 (58%) said their feelings were now more negative, anti-prison. The only exception was at Wormwood Scrubs, where 8 of the 12 lifers who replied were more positive, communicative and settled. *Question 31* took a rather indirect approach to the issue of stabilising influences, with the logic that prisoners who see themselves as helpful, easy-going or popular

will be a more positive influence than those seen as aggressive or criminal. Lifers were more likely to see themselves as helpful (80%, compared to 61% of non-lifers) and popular (40% to 31%), but also slightly more likely to think of themselves as criminal (26% to 18%) and aggressive (21% to 18%). The criminality is slightly inconsistent with their earlier response to *Question 3*, where the difference was only 32% for lifers compared with 34% for non-lifers. Slightly more non-lifers saw themselves as more easy-going (87% to 79%). Neither Q32 nor 33 differentiated between groups, with the great majority of both samples thinking they'd made a favourable impression of staff and regarding staffs' opinions as more important than inmates'. Roughly half of both groups said that being in the Main Centre had helped them, with a majority of lifers in Gartree (14 of 24) and Wormwood Scrubs (11 of 19) affirming this. Higher proportions of lifers in all three Centres, roughly one-in-three each, said the experience had made them worse, compared to less than one-in-five of the fixed termers (31% lifers to 19% non-lifers). The staff were over-whelmingly cited as the people who'd had the greatest influence on the men regardless of sentence, especially the 'civilian' staff – Psychology (Wormwood Scrubs), Probation (Scrubs), Education and Chaplains/Nuns. The only exception was at Gartree, where the lifers said that other inmates were their greatest influence. In spite of the fact that over 60% of adult prisoners released from UK jails will re-offend, and in spite of the promise of confidentiality in the questionnaires, our samples were very confident they'd not re-offend! Only 3 of 88 who replied to Q37 said they were more likely. On the key issue of whether they are a stabilising influence, *Question 38* asked if they thought they had helped other prisoners stay out of trouble. Table 5.12 summarises the results.

Table 5.12 Q38 – ‘Do you think you have helped other prisoners to stay out of trouble here? If yes, how?’

LIFERS					NON-LIFERS			
	Wake.	Gart.	W.S.	Total	Wake.	Gart.	W.S.	Total
Yes	7 (39%)	14 (64%)	17 (85%)	38 (63%)	8 (42%)	10 (50%)	-	18 (46%)
No	11 (71%)	8 (36%)	3 (15%)	22 (37%)	11 (58%)	10 (50%)	-	21 (54%)

Significance: $\chi^2 = 9.8$, $P \leq .01$; W. Scrubs = $\chi^2 = 8.2$, $P \leq .01$.

It is clear from these results that lifers believe themselves to be more helpful to other inmates than non-lifers, particularly at Wormwood Scrubs D Wing. Related to this, *Question 40* asked who their best friends were, lifers or non-lifers. Forty six (70%) of both groups said lifers, with a range from only 53% of Wakefield lifers to 89% (11 of 13) of Gartree’s lifers. The final question asked whether they felt lifers should be separated from non-lifers. Lifers were significantly more likely ($\chi^2 = 8.95$, $P = .01$) to say yes, with 63% of lifers affirming this view (76% at Wormwood Scrubs to 56% at Gartree) as opposed to only 32% of the fixed termers. Their comments were illuminative. Selected lifers comments included (prison coded as WA, GR or WS; sentence as L or N):

- ‘Most trouble in long-term prisons is caused by fixed term prisoners. It’s awful when they brag about release dates when we have none.’ (WA, L)
- ‘Fixed termers have less respect for small privileges, cooker, record-player. They cause trouble when lifers just want to get on with sentence and keep quiet.’ (WA, L)
- ‘Different frame of minds between two groups. It would be fairer to lifers to be together.’ (WA, N)

- ‘To short termers a punch-up is just a fine, but to lifers it could add years and we wouldn’t even know.’ (GR, L)
- ‘Yes, because fixed and short sentence prisoners don’t care if they fight, take drugs, drink, because they only lose a short time from remission whereas a ‘lifer’ could be set back as much as two years for the same thing. In the two years I have been on D Wing, I have had very little trouble because most men doing life just don’t want it anymore. But since the ‘kitchen workers’ (fixed sentences) have come on this wing, I have witnessed 4 or 5 fights where they have started on a lifer knowing that most of us would not fight back i.e. the ‘gay men’. ...I feel very strongly about this!!! It’s hard for men like me who would fight back...I don’t want to, but I’m not going to be knocked around.’ (WS, L)
- ‘No. Because we get to see a few new faces on the wing instead of the same people year after year.’ (WS, L)

The questionnaire results suggested they might reward further analyses. Scrutiny suggested a number of potentially more discriminative groupings of questions which might bear on the research questions hence the following constructs were subjected to statistical analyses:

Criminal Saturation (CS) – combining questions 1) Age at first offence, 2) Reasons for offending, 3) Self-image as criminal, 4) the extent to which Regarded as Criminal by significant others, 6) expression of Regret, 11) First in family to offend? and 27) attitude to Society’s Rules and Regulations.

Family Ties (FT) – combining questions 7) Happy Family?, 8) Parents Together?, 12) Childhood memories happy?, 18) Letters

and Visits from family, 20) Importance of letters and 21) Importance of visits.

Institutionalisation (I) – combining questions 16 (4 parts) on schooling and truancy, and 17 (2 parts) on Compulsory Care.

Prison Influence (PI) – combining questions 34) Positive influence of current prison, 35) Negative influence, 38) Helping other prisoners, 39) Separating lifers and 40) Best friends lifers or not?

The questionnaire replies were coded as follows:

CRIMINAL SATURATION

Q1. *Age first offence*

Below Mean = 0; Over Mean to 1 Standard Deviation = 1; Over 1 SD = 2

Q2. *Reasons for crime*

If answer g, h or i = 0 (no pre-meditation); If 1 other reasons = 1; If 2 or more reasons = 2

Q3. *Self-image as criminal*

Yes = 1; No = 0

Q4. *Others regard as criminal*

None = 0; Police = 1; Friends = 2; Family = 3

Q6. *Regret*

Yes = 0; No = 1

Q11. *First in Family*

Yes = 0; No = 1

Q27. *Society's Rules*

If accepting or favourable = 0; If critical or rejecting = 1

FAMILY TIES

Q7a. *Happy?*

Yes = 1; No = 0

Q7b. *Arguing/violence?*

Yes = 0; No = 1

Q8. *Parents together*

Yes = 1; No = 0

Q12. *Happy memories?*

Yes = 1; No = 1

Q18a. *Letters/visits*

Yes = 1; No = 0

Q20. *Importance of Letters*

Answer a or b = 0; c or d = 1

Q21. *Importance of visits*

a or b = 0; c or d = 1

INSTITUTIONALISATION

Q16. School

a) Enjoy – Yes = 1; No = 0

b) Truant – Yes = 1; No = 0

Q17. Care

a) In care – Yes = 1; No = 0

Taken from home – Yes = 1; No = 0

PRISON INFLUENCE

Q34/35 Helped or made worse?

Neutral = 0; Better = 1; Worse = 1

Q38. Helped others stay out of trouble?

Yes = 1; No = 0

Q39. Separate lifers?

Yes = 1; No = 0

Q40. Best friends

Lifers = 1; None = 0

The questionnaire results were subjected to an analysis of Internal Consistency first and as a result, Institutionalisation was split into Negative School (NEGSCH) and CARE, and Prison Influence was returned to the original questions, with Q34. and Q35. combined.

Table 5.13 Correlation Coefficients for Composite Questionnaire Results, Lifers (N = 66)

Correlations:	CRIM	FAMILY	NEGSCH	CARE	Q.34	Q.38	Q.39	Q.40
CRIM	1.00	-.384**	.491**	.444**	.016	.013	.141	.087
FAMILY	-.384**	1.00	-.274*	-.357*	-.034	-.030	.017	.247
NEGSCH	.491**	-.278*	1.00	.586**	.049	-.189	.125	-.43
CARE	.444**	-.357*	.586*	1.00	-.110	-.032	-.061	-.083
Q.34	.015	-.034	.049	-.110	1.00	.028	-.086	.029
Q.38	.013	-.030	-.189	-.032	.028	1.00	.325*	.226
Q.39	.141	.017	.125	-.061	-.086	.325*	1.00	.424**
Q.40	.087	.247	.043	-.083	.029	.226	.424**	1.00
N of Cases	66	Significance: * = -.01			** = -.001			

The composite of Criminal Saturation for Lifers is significantly negatively correlated with Family Ties, and has a high positive association with negative school experiences and being put into care. The strongest association of all is between the reports of negative schooling and being in care, and there is also significant negative correlations between family ties and these two institutional indices.

There is a second cluster of significant correlations between the questions which formed the original composite of Prison Influence. Q39, which asks if lifers should be separated, and Q40, which asks who their best friends were, were highly significantly correlated and, to a lesser degree, Q39 was also correlated to Q38, concerned with helping others stay out of trouble.

The results of the correlations for the Non-lifer sample (N = 42) are not worth tabling as there were only two significant correlations. Negative schooling and being in institutional care were significantly associated ($r = .438, P \leq .029$), as were family ties and Q39 ($r = .369, P \leq .041$).

To test the assumption that these samples are taken from the greater populations in question, the data were subjected to T-tests, two-tailed. Table 5.14 gives the results of these analyses.

Table 5.14 Two-tailed T-Tests on Lifer vs. Non-lifer Independent Samples Composite Questionnaire Scores, Interval Scoring

	LIFERS (Mean/S.D.)	Non-Lifers	Significance of P
Criminal Saturation	3.77/2.25	4.78/2.09	.019
Family Ties	4.50/2.11	4.67/2.19	N.S.
Negative Schooling	1.56/1.42	1.92/1.20	N.S.
In Care/Taken from Home	.545/.880	.960/1.02	.058

Criminal saturation is the only composite construct which significantly differentiates the two groups, although Care just fails to reach significance.

In order to assess the final four questions, we apply the procedure CROSSTABS to the data, as these results are in dichotomous variable form. Figure 5.1 is a crosstabulation showing the numbers of lifers and non-lifers who felt their current prison had made them better, worse or had no effect.

Figure 5.1 Perceived effect of prison on prisoners by sentence type.

Crosstabulation: LIFER by Q34/Q35 Combined			SCORE		Row Total
		-1	0	1	
LIFER?	NO	3	18	10	31
		9.7	58.1	32.3	33.0
		21.4	47.4	23.8	
		3.2	19.1	10.6	
	YES	11	20	32	63
		17.5	31.7	50.8	67.0
		78.6	52.6	76.2	
		11.7	21.3	34.0	
Column		14	38	42	94
Total		14.9	40.4	44.7	100.0
Chi-Square	D.F.	Significance		Min E.F.	
6.00251	2	.0497		4.617	

Number of Missing Observations = 14

Lifers were significantly more likely to feel that being in that prison had had a positive effect on them. When we excluded the Wormwood Scrubs lifers from the analysis, as there was no fixed sentence sample taken from there, the result was still significant ($N = 74$, $X = 8.44$, $DF = 2$, $P = .015$).

Excluding the Wormwood Scrubs lifers from the Crosstabs, for the final three question scores (Qs 38, 39 and 40), we found that only the final question concerning best friends reached significance ($X = 10.30$, $DF = 1$, $P = .0013$), with over half (56%) of all lifers naming other lifers, compared with only 16% (5 of 31) of the non-lifers. Implicit within this question is the assumption that those relationships which are strongest are also most likely to be most influential. Lifers are, by this analogy, more likely to be influenced by other lifers and would not necessarily be a positive influence upon non-lifers. The other crosstabulations did not reach significance.

The basic question underlying these subsequent analyses is 'Do lifers differentiate from others on some constructed variables which would predict stable relationships?' There is clear evidence from these results that the lifers are distinguishable, that they are significantly less criminally saturated and more likely to have had more stable experiences of prior, pre-prison institutions (school, children's homes, etc.) and that they are more likely to form positive relationships with other prisoners of similar sentence types within regimes which they experience as more positive, or helpful.

5.6 PERSONALITY TEST RESULTS

The final aspect of the comparisons of the adult lifers and non-lifers concerned whether there were differences on a range of personality

questionnaires as summarised in Chapter 2 Methodology: Raven's Progressive Matrices (non-verbal intelligence), the Eysenck Personality Questionnaire (EPQ, measuring extraversion, psychoticism, neuroticism), the Rotter Locus of Control Scale (LOC, direction of responsibility) and the Hostility-Direction of Hostility Questionnaire of Fould & Caines. Although it would have been preferable to have given the battery of tests to the same samples from the Main Centres, the logistical problems concerning the relatively long testing time and the problems of access and security made this option appear untenable. The next best option was to take the existing results from the lifer and non-lifer populations of Grendon Underwood where, at this stage of the research, I was based. Previous research providing norms for Grendon had established there were no significant differences to non-Grendon samples and would not presumably be misrepresentative. The fact that Grendon's population is traditionally perceived as disturbed is not borne out at least insofar as the patterns of score distributions are concerned. Table 5.15 gives the results of summing the scores for three samples ($N = 30$): lifers, non-lifers (violent) and non-lifers (non-violent). The later two categories were according to current offence and were used as a potentially discriminative variable i.e. controlling for violence, which fixed term sample was more similar to the lifers? These response patterns were then also compared with those of the normative distributions from the relevant Manuals.

Table 5.15 Matrices, EPQ, and Locus of Control Scores, Grendon Lifer and Non-lifer (N = 30)

		RAVENS		E.P.Q.		L.O.C.	
		P.	E.	N.	L.		
Lifers	Mean:	43.7	5.0	11.6	15.3	6.2	10.1
	Range:	29-55	0-19	3-20	0-23	0-19	4-21
Non-lifers (violent)		40.5	6.7	11.6	17.1	4.4	12.0
		22-51	1-14	3-21	6-22	0-12	3-19
Non-lifers (non-violent)		38.3	7.4	9.6	17.0	5.6	11.5
		6-53	0-14	1-18	6-23	0-18	4-17

Comments: The lifers had lower tough-mindedness and neuroticism scores than the non-lifers, especially non-violent. They were also slightly more likely to ascribe cause or responsibility to themselves rather than fate or circumstance.

Table 5.16 H.D.H.Q. Scores, Grendon Samples, Lifers/Non-lifers (N = 30)

		S.C.	G.	AH	PH	H.D.H.Q. CO	TOTAL	DIR:IH	EH
Lifers		6.5	4.5	5.2	2.9	5.8	23.7	11.0	14.0
		1-9	0-7	1-10	0-7	1-10	3-39	1-16	2-25
Non-lifers (violent)		7.0	4.5	7.4	3.1	7.1	28.1	11.4	17.6
		4-11	1-7	2-11	0-9	1-12	13-42	6-17	6-3
Non-lifers (non-violent)		6.9	4.4	6.8	3.3	6.8	27.6	11.3	17.0
		5-26	1-11	0-7	1-12	0-7	2-10	9-42	2-17

Comments: On all the measures of outer directed aggression or hostility, the lifers scored lower than the non-lifers, especially the violent ones.

5.7 SUMMARY AND CONCLUSIONS

Headquarters policy for the 3 Main Centres for adult male life sentence prisoners are clear, purposeful and positive. They focus on the needs to cope with the initial traumas of conviction, to set realistic assessment targets for probable short and longer term lifers, and to help lifers begin to settle into their sentences. The preemptive concerns to maintain

rigorous security for a large minority of Category A prisoners is seen to pervade the regimes of the Centres. There are clear differences between lifers and fixed sentence prisoners in terms of a number of demographic and sociometric factors such as prior criminal experience, the causes for their current crimes and, referring back to the results from the psychological battery, their personalities. Lifers are also shown to be less institutionally offensive in terms of both their lower rates of Governor's Reports and, referring to Tables 5.9 and 5.10, several indices of regime adjustment such as not being placed on separate location for 'Good Order and Discipline' as often as the fixed term prisoners.

The narrative accounts of both staff and inmates, relatively regardless of the prison, strongly support the perception that lifers are, indeed, a far more positive influence over the lives of the wider populations. The staff, particularly in Gartree, acknowledged the obligation to allocate lifers without regard to individual needs, but rather on the twin priorities of available space and security considerations. There was an element of cynicism among some staff which implied that, as lifers (murderers), they were fortunate with whatever lot befell them. The exclusively lifer regime of D Wing showed up best of the three on a number of indices, particularly in the inmates and staffs' perception of the good 'sociometrics' of relationships and that the fact that the wing is all lifers leads to a stable, supportive regime in which to go about the business of being a Main Centre. A number of lifers advocated the separation of lifers, at least in the first and last stages of their sentences in order, respectively, to reduce the disruptive and unfair pressures from the shorter, fixed term prisoners and, again, to focus better on the lifers' priorities for progression, and, in the latter stages, to best prepare for release.

Further distinctions thrown up by the questionnaire results see lifers as having had more disrupted family backgrounds with greater levels of arguing and violence, leading to higher divorce rates among their parents and fewer happy memories for the lifers themselves. More lifers said their friends were not criminal and that they, the lifers, accepted the need for society to have clear rules and regulations.

With regard to the question of being a positive or stabilising influence, the lifers again were significantly more likely to see themselves as such (collaborating the results from the Extended Interviews earlier this chapter and of the Governors' replies to follow in Chapter 7). The lifers in Wormwood Scrubs (see Table 5.10) affirmed their perception of positive influence in particular high numbers.

Finally, two thirds of all lifers preferred to be separated from non-lifers, compared to less than a third of the non-lifers, some of whom, in objecting, thought separation would be a hardship to the lifers.

CHAPTER 6

THE YOUNG OFFENDERS – AYLESBURY AND SWINFEN HALL

- 6.1 Young Offender Lifer Policy
- 6.2 The Youth Custody Centres described
- 6.3 Differences between the samples – interviews and questionnaires
- 6.4 Staff perspectives
- 6.5 Statistical analyses – Aylesbury
- 6.6 Summary and conclusions

CHAPTER 6

THE YOUNG OFFENDERS

Chapter 6 focuses on the same questions concerning policies and regimes as did the previous chapter on the adults. The main reasons for looking at young offenders as well are that it is possible that the experience of indeterminacy is very different for those relatively small numbers of young people so sentenced and, equally, the way the prisons actually deal with them may not only be different but may influence their attitudes to adult imprisonment as they, almost inevitably, become re-classified and move into the mainstream. The two YP (Young Prisoner) Centres chosen, HMYOI Aylesbury and Swinfen Hall, were chosen because:

- 1) they were designated as Main Centres for under aged lifers and therefore had sufficient numbers for comparisons, and because
- 2) Swinfen Hall mixed their lifers randomly amongst the population while Aylesbury separated, thus giving a useful control element to comparisons both between them and with the findings from the adults.

6.1 YOUNG OFFENDER LIFER POLICY

Home Office Circular Instruction 15 of 1983 concerns the allocation of male young offenders and CI 55 of 1984 provides detailed guidelines for the 'Throughcare and Supervision of Life Sentence Prisons: Children and Young Persons Detained in Secure Child Care Establishments'. Section

53(1) of the Children and Young Persons Act 1933 provides that a person found guilty of murder committed when under the age of 18 must be sentenced to be detained during Her Majesty's Pleasure (HMP). Those aged 18 or older are subject to the same Life Imprisonment as adults except that they must be held in Youth Custody until after their 21st birthday. As of 30 June 1989, there were 108 young offenders serving life sentences, only 5 of whom were female. Of the 103 males, approximately 75 were either in Aylesbury (50) or Swinfen Hall (25).

6.2 THE YOUTH CUSTODY CENTRES DESCRIBED

AYLESBURY

Aylesbury is a Youth Custody Centre which houses up to 292 long-term young offenders (minimum sentence 3 years; aged between 18 and 21). The prison is Victorian, built in 1856. It is structurally divided into two relatively autonomous sections, the 'Main Prison' and the F & G Complex, which are in diagonally opposite corners of the prison grounds. Fixed sentence offenders are allocated to one of the three wings of the Main Prison, which are of the classic radial design. Allocation exceptions fall into one or more of three categories:

- 1) those for whom it is the first custodial sentence,
- 2) those who appear particularly inadequate or withdrawn (a precursor to the 'vulnerable person unit' concept) and
- 3) lifers.

Each wing houses up to 65 men. F & G wings hold up to 45 YPs each, up to 25 of whom are lifers. After two weeks' induction, the inmate is

allocated a wing and a Personal Officer who is responsible for his introduction to wing life, providing reports and attending his Long Term Training Board (LTTB). The general routine for all the wings is much the same. Work placements are either as a wing cleaner or on one of the two large 'Light industry' workshops. After 6 months, a man may be considered for work in the laundry or kitchen. Education and vocational training classes are available on application and almost straight away depending upon suitability, availability and aptitude assessment. At Aylesbury, LTTBs are held after the young man has been at Aylesbury 3 months; again after 6 months and annually thereafter. Although YPs are eligible for F75 progress reports, the fact that the average age is currently 19 and that F75s aren't prepared until they've served 3 to 4 years means few actually make it to their F75 date before being reclassified.

Earlier reference has been made to the Aylesbury-based origins of this research project, specifically to a 'concerted act of indiscipline' in 1982 which triggered pressure from Regional Office to mix the lifers with the non-lifers. The pressures had increased over the next two years as a result of

- 1) two subsequent near-incidents concerning Main Prison inmates protesting or threatening to protest,
- 2) an increase in assaults on staff and
- 3) a gradual rise in the number of Governors' Reports, particular to the Main Prison wings.

Part of the arguments with which Aylesbury resisted was that in order to have any appreciable impact, sufficiently large numbers of lifers (possibly all) would have to be transferred – otherwise the negative effects of the

Main Prison majorities would supercede the presumed positive effects of the lifers and, equally, that a randomised spread might have destabilising effects on all 5 wings rather than being contained on the Main Prison.

REGIME

All the population were mixed anyway during the core workday hours, when most were either at work, vocational training or in full-time education. The regimes on F and G wings, which were smaller and more modern, were more similar to secure units or hospitals than the prison wings of most Victorian prisons, affording both more privacy and a quieter environment with less tension. PE was well integrated into the daily activities and a particularly popular work option was the Braille Unit where up to 15 young men could learn braille transcription, printing and editing.

SWINFEN HALL

Swinfen Hall, like Aylesbury, is a closed young offenders institution, but smaller and more modern. The average population in 1989 was 146 and the buildings were built in 1962. The lifers are roughly evenly distributed around the three wings and there are no discriminative criteria.

REGIME

The prison opened in January 1963 and is of unusual design, there being no security wall. The building encloses a quadrangle and is virtually a hollow wall. The maximum roll is 182 with sentences from 3 years up to Life and HMP sentences. A richly varied, action-oriented regime included PE programmes with indoor and 'excellent outdoor facilities' including tarmac for Tennis and Soccer, 3 grass pitches for football and one for rugby and lots of weight-training apparatus. The Education

programme offer 4 levels of study from those with 'moderate to severe literacy and numeracy problems' through to full-time G.C.S.E. Courses, plus Vocational training in Information Technology, open learning and evening classes. There is also a Farm Department with a herd of cows, pigs, vegetable tending, gardens, greenhouse and a tree planting programme. Finally, there is a City & Guilds Skills Testing Scheme on the farm estate.

Indoors, Swinfen runs a Personal Officer Scheme, Pre-Release Development Schemes and special courses aimed at helping lifers develop and come to terms with their sentences.

There is a considerable range of differences between Aylesbury and Swinfen Hall perhaps best summarised by describing Aylesbury as a YP Dispersal prison with two very different populations and regimes running in tandem while Swinfen Hall is very much in the best traditions of the classic Borstal model of the 1950s and 60s. We are clearly not comparing like with like in terms of environments.

6.3 DIFFERENCES BETWEEN THE SAMPLES – INTERVIEWS AND QUESTIONNAIRES

The Aylesbury samples consisted of two groups of 50 inmates each, lifers and fixed termers, selected alphabetically. The Swinfen Hall samples were smaller due to the fact that there were only 25 lifers there, hence complete replies were eventually available on 21 lifers and 24 fixed termers.

Complete results were also available on 37 lifers and 36 fixed termers from the Aylesbury samples, giving a total of 118 inmates in the

Young Offender research samples. Additionally for the Aylesbury samples, data was extracted from the official prison records concerning a) Governors' Reports and b) staffs' accounts of their adjustment to imprisonment and overall evaluative conclusions from progress reports on their personalities. Questionnaire results were:

Q1 Age at first conviction. The samples were almost identical, ranging between 12 years, 3 months for the Swinfen Hall Lifers and just over 13 years for the Aylesbury fixed termers. The determinates were more likely to recall their first crime as acquisitive e.g. theft, shoplifting or TDA, but the difference just fails to reach significance ($\chi^2 = 3.48$, $df = 1$, N.S.) for the Aylesbury samples. There were also no significant differences in the distribution of reasons for starting to commit crime or in the extent to which they regarded themselves as criminal. Only 21% of the lifers and 33% of the fixed termers said yes. Lifers were slightly more likely (11 of 58, 19%) than non-lifers (4 of 60, 7%) to feel their families regarded them as criminal and, as with the adults, most knew the police did.

Q5 concerned pleading guilty to the current offences, and, as with the adults, the lifers were less likely to have done so, with only 24 (42%) compared with 44 (73%) of the non-lifers ($\chi^2 = 11.7$, $df = 1$, $p \leq .001$). Of the lifers who pleaded not guilty, most did so in order to plead guilty to a lesser charge while, of the non-lifers, most did so in an attempt to avoid conviction.

Q6 asked if they felt regret and, not surprisingly, the lifers again affirmed this in large number, with 84% compared to 63% of the non-lifers so declaring.

6.3.2 Family

The samples were almost identical in recalling their childhood as predominantly happy (69% overall; 67% lifers and 70% non-lifers), rather higher rates than for the adults. The young offenders were significantly less likely to be the first in their families to commit crimes compared to the adults but not between themselves. Only just over (53%) were the first whereas almost three-quarters of the adults were (73%). Almost exactly half of each group said their parents were still together.

6.3.3 Friends

One of the most startling results was that only 10 of a total combined return of 110 said that none of their friends were criminal! This contrasts with 37% of the adult lifers and 20% of the adult non-lifers. Although this may not bear directly on the central research questions, it suggests that the young offenders are either associating with far more criminally active peer groups or that, coming as they do from wide national 'catchment' areas, that crime amongst young people is far more prevalent than when the adult samples, who are on average over 16 years older, were their ages.

Perhaps related to this finding is the extent of alienation which the young offenders indicated. Almost half (47%) of the young lifers and a third (32%) of the young determinates said they had been involved in skinhead, punks, National Front, Rastafarians, Hell's Angels, etc. groups, contrasted with fewer than a third (30%, lifers) and a quarter (24%, fixed) of the adults. While clearly no firm conclusions are tenable from this, it is interesting to add to the previous finding regarding peer group criminality. Of course, a culture may gradually encourage and publicise greater involvement in what many might regard as harmless activities or

fad fashion and 'statement' groupings, but it could equally be argued that these figures (for the young offenders) are probably not replicated in their wider, unconvicted, age group. Then, just as we convince ourselves there is a pattern forming here, we suffer what would appear to be a reversal of fortune. 60% of the YP lifers (33 of 55) and 47% of the non-lifers (27 of 57) confess to having done things with friends they privately felt to be wrong i.e. 'conscience'. Open to different interpretations, it is at least consistent in that higher proportions of lifers, both young and adult, were so 'stricken', but it might either be an indication that more young offenders had a conscience and sense of morality, or that they simply were more often criminal or offensive and thereby gave themselves more opportunities to bruise their senses of right and wrong.

The young lifers had rather different reactions to the related question concerning their alienation from society. Several (7) said effectively that society had or should feel alienated from them as a direct consequence of their crime, usually murder. Another 6 admitted to feelings of alienation, compared with far fewer determinates (6 of 36). An examination of the dates of first convictions showed that, of the lifers, those who felt alienated were first convicted at a noticeably earlier age than those who didn't and that 'status among friends' was frequently given as a factor by these 'alienated lifers' when giving reasons for offending. Five of these 8 lifers also declared an active interest in subculture activities such as punks and the NF. Finally in this section of questions, 16 lifers (43%) and 13 (36%) non-lifers expressed discontent or disapproval with society's rules and regulations.

The two questions on institutions elicited fairly predictable results, outstanding amongst them being that 92% of lifers from Aylesbury saying they'd truanted. There were no significant differences in those who'd

been placed in Care, but of the determinates, 7 of 9 were put into care due to their own misbehaviour, compared with only 5 of 13 lifers ($P = .05$).

6.3.4 Correspondence/visits

Fifty-nine of the 61 determinates maintained contact with family and almost as many lifers did so (53 of 58). Contact with friends was appreciably less and more so for the lifers, with only 11 of 21 Swinfen Hall lifers getting letters or visits from friends. The percentages who rated contact as very important or essential with the young offenders were higher than for the adults, with 84% overall compared to only 72% from the adults. Perhaps it is harder to sustain relationships when you have been inside for several years longer or when direct ties with parents are diminished.

6.3.5 Attitudes to Prison

Although a higher percentage of young lifers said they were positive/co-operative upon arriving, (83% vs. 64% of the determinates), their comments were qualitatively very similar to those of the adults i.e. reactions to life imprisonment, predominantly shock, depression and bewilderment. Identically, 30 of 39 lifers and non-lifers said their feelings had changed, but while only 11 of 30 lifers said they'd improved, 21 non-lifers felt their attitudes had improved, a significantly higher proportion ($\chi^2 = 7.0$, $df = 1$, $P \leq .01$).

The lifers were significantly more likely to see themselves as popular (83% to 38; $P \leq .001$), easy-going (93% to 71; $P = .05$) and helpful (90% to 67; $P \leq .05$) while the non-lifers were twice as likely to see themselves as criminal. The young offenders, regardless of sentence type, were markedly less likely to acknowledge that anyone had had great influence upon them and, although staff were indirectly thanked for their

Help in a minority of cases, the levels were significantly down compared to those for the adults. Aylesbury YPs (12 of 46) are more likely to feel that the place had made them worse in some way than those at Swinfen Hall (4 of 39), where 29 of 39 said they'd actually been helped.

Table 6.1 Q38 – ‘Do you think you have helped other prisoners to stay out of trouble here? If yes, how?’

	LIFERS		NON-LIFERS	
	Aylesbury	S. Hall	Aylesbury	S. Hall
‘Yes’	8 (33%)	9 (47%)	9 (38%)	6 (38%)
‘No’	16 (67%)	10 (53%)	15 (62%)	10 (62%)

Not Significant

Q39 *Do you think the lifers should be kept separate from the others? Why?*

Only the Aylesbury lifers, who were separated, felt they should be, with 15 of 24 (62%) agreeing. Only 15 of 42 (37%) of the Swinfen Hall samples (7 of 20 lifers and 8 of 22 non-lifers) preferred to be separate and only 8 of 25 Aylesbury non-lifers.

6.4 STAFF PERSPECTIVES

An additional source of information relevant to the question of differences between the samples were the official records of staffs’ views concerning the prisoners personalities and progress in their sentences. These views were recorded in the Prison Record, Form 1150, the central files which include details of current offences and trial, police lists of previous convictions, a full report of Governors’ Reports and punishments recieved and various progress reports from Personal Officers, Wing Governors and specialists including Chaplain, Probation Officer, Psychologist, teacher and Psychiatrist. A thorough analyses of

these records for the two Aylesbury samples (N = 27 lifers; 36 fixed) who completed their interview/questionnaire gave the following patterns.

- 1) *F and G Wings* – Roll included references on 19 from G and 15 from F Wing. Descriptions were:

G Wing: 'well-behaved, arrogant, loner, model, quiet, polite, popular, depressed even-tempered, well-adjusted, cheerful, co-operative, mature, responsible, doesn't mix well, confident, respectful, well-behaved, difficult, aggressive, quiet, polite, respectful.'

F Wing: 'noisy, demanding, well-behaved, over-controlled, thoughtful, quiet, conforms, willing, model prisoner, very polite, intelligent, respectful, co-operative, no problem at all, weak, easily manipulated, passive obedient, friendly, mixes well, unpleasant, nuisance, conforming, anxious, open, friendly, mixes well, charming, settled.'

These summed to totals of 17 positive statements and 6 negative for G Wing, 21 positive and 8 negative for F Wing, a 73% overall favourable rating.

- 2) *Main Prisons Wings (A, B & C)* – Included on non-lifers (N = 19) all of whom had previous convictions. Staff descriptions were:

A Wing (N = 10): 'cheeky, troublesome, strong-willed, cheerful, no problem, childish, easily led, arrogant, detached, strong, pleasant, well-behaved, popular, polite,

He was pro-Death Penalty which he believed to be a deterrent showing that people must be held accountable for their actions. The only mitigation he recognised to stay such executions was 'chemical imbalance'. He felt lifers should be integrated throughout their sentences but had some sympathy for the painful effects of lifers seeing others going out all the time.

The Aylesbury Governor, on the other hand, was very strongly for separation which he felt worked particularly there and which was clearly in the best interests of his lifers who would, if transferred to the Main Prison, be placed under unfair and possibly intolerable pressures.

6.5 STATISTICAL ANALYSES – AYLESBURY

The final comparisons were made between the two larger samples from Aylesbury's population, 40 lifers and 87 non-lifers.

VARIABLES

These samples were compared on 31 variables including:

- 1) previous minor convictions
- 2) previous major convictions
- 3) age at first conviction
- 4) previous custodial sentence
- 5) history of violence
- 6) racial origin
- 7) family history
- 8) history of childhood problems
- 9) drugs, drink or solvent abuse
- 10) involvement in youth subculture
- 11) truancy from school
- 12) other school misbehaviour
- 13) history of psychiatric referral

- 14) ever in Local Authority Care
- 15) education qualifications
- 16) employment record – regular, casual, none
- 17) employed at time of arrest
- 18) motive – current crime
- 19) previous crimes similar to current
- 20) length of criminal history
- 21) length of time at Aylesbury
- 22) potential correspondents on letter sheets
- 23) nos of official correspondents, POs, etc.
- 24) average no. of letters out per month
- 25) average no. of letters in per month
- 26) no. of people to whom letter sent
- 27) no. of people from whom letters received
- 28) no. of two-way correspondence
- 29) average no. of VOs sent since arrival Aylesbury
- 30) average no. of visits since arrival, per month
- 31) no. of people who have visited.

Statistics provided were Cross tabulations, Chi-Square, T-tests and Non-parametric trend tests (Tau C) controlling for qualitative variables (Chi-Square), ordered categories (Tau C) and interval levels (T-tests).

RESULTS

The determinates (fixed termers) were significantly more likely to have had previous major convictions ($p \leq .05$), here defined as burglary, robbery, sex or violence; to have had previous Custodial sentences ($p \leq .02$), previous regular employment ($p \leq .05$), histories of previous crimes similar to current one ($p \leq .001$) and significantly fewer potential correspondents on their letter sheets (19.7 to 28.3). The lifers were significantly younger at first conviction ($p \leq .05$), to write letters to a wider range of people (13.6 to 8.5) and to receive letters from a wider range (14.3 to 8).

6.6 SUMMARY AND CONCLUSIONS

There are a relatively small number of lifers among the young offender population. Analyses were conducted to compare young offenders controlling for type of sentence i.e. life or determinate, and type of prison allocation i.e. mixed/random or separate/deliberate. While Aylesbury YCC had a larger lifer population who were separated for much of their day from the larger numbers of fixed term men (37 lifers vs. 255 fixed term), and their (F & G Wing) regimes were less traditionally prison style and smaller, the general ethos of Aylesbury was of a 'dispersal' prison for young offenders. Swinfen Hall, on the other hand, was a much more modern centre with a very wide range of regime elements and a smaller number of lifers (27 of 182). The comparison controlling for lifers on the variable of Segregated or Dispersed has become somewhat confounded by the differences between regimes. Given the tiny minority of prisons with separate facilities for lifers and the wide variation between regimes within Security categories, the comparisons were probably as methodologically tenable as was possible. Lifers were less likely to have pleaded guilty to their current offences and more likely to express remorse for them. There were few differences between the lifers and non-lifers at Aylesbury and Swinfen Hall on a number of familial comparisons.

A very high proportion of the combined samples indicated that their friends outside had committed crimes and appreciable numbers (approaching half of the lifers) felt alienated from society to the rather mild extent at least of involvement in groups like punks and organisations like the National Front. Lifers, as with the adults, were more likely to express regrets over their crimes. It is difficult to over-emphasise the importance of the ties with family and friends to long-term

prisoners. The only group who were rather less well supported were the Swinfen Hall lifers' from their 'friends'. It has been my experience of young lifers that they frequently feel betrayed by their friends when they receive such long sentences. The commitment from families/relatives is however usually impressive. Truancy from school would appear to be the rule rather than the exception.

The question of lifers being a stabilising influence was not as persuasively confirmed as with the adult offenders. While the lifer YPs clearly saw themselves as popular, helpful and easy-going (modesty of youth!), they did not content that they'd actually helped others in any large number, the Aylesbury sample actually affirming this less often than their fixed sentence counterparts. Pertinent, but not essential, were the descriptions of the sample inmates by various staff in their evaluative reports, where the lifers are highly significantly more likely ($\chi^2 = 13.2$, $df = 1$, $P \leq .001$) to be described in positive terms than the non-lifers. A range of non-parametric statistics were applied to a large number of potentially discriminative variables ($N = 31$) on two large Aylesbury samples and showed a number of such variables. Non-lifers at Aylesbury are significantly more likely to have prior criminality and prison experience and less likely to have regular and numerous correspondents. The concluding impressions were that, although there were substantial differences in YP regimes, the lifers were different and were also much more positive within the regimes regardless of their ethos.

CHAPTER 7

STAFF PERSPECTIVES

- 7.1 The Governors' Perspective
- 7.2 The Policy Maker's Perspective
- 7.3 A Cost-Benefit Analysis
- 7.4 Summary and Conclusions

CHAPTER 7

STAFF PERSPECTIVES

7.1 THE GOVERNORS' PERSPECTIVE

The Governors of those prisons with lifers are almost definitely the most influential group of staff in terms of the prisoners lives. The Governors, particularly since the national Fresh Start initiatives of 1987 gave them greatly increased powers and responsibilities, set the tone for the regime. They can, through senior staff, determine whether the regime will be liberal and innovative, taking risks by letting prisoners be released to outside projects in greater numbers, improving visits numbers and length (as well as inviting families into the prison wings to see how the lifers live) and encouraging programmes specifically tailored to lifers needs e.g. the Lifers groups at Gartree. Alternately, they may consciously determine to not treat lifers any differently to non-lifers. Most of them decisions however, are proscribed by two external factors – the veto power of DOC-2 Division at Headquarters and the constraints of resource implications in their annual Budget agreements with their boss, the Area Manager. Fresh Start was a deliberate, determined effort to wrest power conceded over years to the Prison Officers Association and return it, or some of it along with considerably increased accountability, to the Governors. Governors of the 53 establishments which hold lifers are an excellent cross-section of the total and, as such, should be representative of the national perception and philosophy of the men and women who run the prisons. Clearly,

their views are key to any understanding of how lifers are seen and treated by local management.

To determine their views, every Governor of the 53 prisons was sent a questionnaire with an explanatory cover letter, copies of which are in Appendix C at the end of the chapter.

Although there were only eleven questions asked, they focused on issues central to lifer policy generally and to the research questions in particular. Governors are busy, frequently stressed people so the questions needed to be brief, direct and sufficiently thought-provoking to obtain a good response rate i.e. in excess of 50%.

Five of the questions (Q1, Q2, Q6, Q10 and Q11) addressed either attitudes towards national policies for lifers or personal philosophies. Of the rest, all but two focused on the related questions of positive influence and mixing versus separation. The final questions (Q7 and Q8) asked whether they believed in capital punishment – a kind of shorthand if somewhat presumptive indication of primary orientation to the purpose of imprisonment i.e. those who were pro-CP might be more likely to have primarily punitive, retributive views while those anti-CP might be, on balance, rather more rehabilitative.

The chapter intends to give a closer, prison-based perspective on how lifers are treated compared to non-lifers. These views can then be compared with those of the lifers, on the one hand, and with official policy statements on the other. The latter is exemplified by the answers of the senior Governor in the Lifer Management Unit at Abell House and by those of the Assistant Secretary of State with overall responsibility for lifer policy for England and Wales (as indicated by submissions to the House of Lords Select Committee and in personal conversation). Were the

Governors who had to implement policies in agreement with them? To what extent did they feel they were in control of the destinies of the prisoners in their charge?

Of the 53 questionnaires sent out, 2 were returned uncompleted as they currently had no lifers. 41 (80%) of the remaining 51 were returned completed, an excellent response more than sufficient to rate the conclusions as thoroughly representative. The answers have been grouped by themes and were as follows:

Q1. What is your personal policy, or philosophy, for your lifers?

A1. Replies indicated a range of informed and pertinent perceptions of both the particular needs of lifers and of the constraining influences of Prison Department policy and procedures. When grouped according to their prison type i.e. by Security Category, the replies clearly reflected their stage in lifers' careers. The Governors of the 3 Main Centres – Wakefield, Gartree and Wormwood Scrubs said 'To assess them for the most appropriate second stage establishment, to settle them into a life sentence and give them sufficient information of the...system. After twelve months look at working on offending behaviour via specialists working in conjunction with discipline staff.' When we include the other Dispersal prisons Governors' replies, a rather mixed picture emerges. Two prisons had a no-nonsense approach e.g. 'I'm not sure that I have a different policy or philosophy with regards lifers than with anybody else. I hope my philosophy is to treat people fairly, openly, honestly – that kind of thing. If somebody is in a hole I try to help. I suppose in the great British tradition I have a tendency to support the under-dog...'.

Every one of the eleven Category B replies indicated the need to see lifers as different and to provide positive regimes which recognised

their special needs and circumstances. Examples include 'They should be treated with dignity. That they should be able to understand the system to which they are subject and have someone on the staff with whom they can confide. An open approach is adopted by all departments.', 'To help them come to terms with their sentence and to make sense of the Kafkaesque rules surrounding release on license.' and 'I believe that we have a duty to try and get them released on or as near to their tariff date as possible...'.

All but one of the 15 Category C prison governors replied and there is a shift of emphasis towards preparation for release in their replies whilst retaining that impressive commitment and humanity of the earlier stages. Examples here include 'To help them confront their offence and assist them in preparation for their eventual re-integration into society.' and 'Management Model – we work as integrated team – each get different pieces of "jigsaw" we put together on Review Boards (lifer attends) i.e. no keyworker'. Personal Model – I work as counselling psychotherapist – with projective identifications, transference with some lifers to allow expression of their interactive style and underlying problems that led to offence, and thus facilitate self-understanding and change.'

The 3 Category D Governors have their policies set on release, with emphasis on taking responsibilities, greater freedom and decision-making and a lot of community-based work experience to test working habits and trust. The poorest response rate was from the female establishments, with only 4 of 8 replying. Replies were consistent with the male prison Governors, including the fullest and most thoughtful response of all:

'One's personal philosophy in respect of lifers is informed first by one's view of the way in which prisoners should be treated in general. In a female prison one senses (an) overwhelming infantilising process. Lifers, as others, should be treated as adults. They should be allowed to take decisions in their own lives insofar as that is possible within the constraints of the prison. They should be involved in decisions taken about them and be given reasons for those decisions...As Governor of an open prison I can and do make free use of the circular instruction on temporary release. The prison has its payphones. There is hardly any censoring of correspondence. Lifers are involved in community work and are given full-time temporary release to attend local colleges. They eventually transfer to the pre-release employment scheme...It is possible, within our regime, to make life for the lifer a genuine staging post between custody and free conditions...'

SUMMARY

While there is clearly some tendency to repeat the official rhetoric of processing lifers through coherent 'career plans', the overwhelming impression is that these Governors bring thoughtful and assertive experience to bear on how they treat the lifers in their care. Some even challenge the official line, both in terms of seeing lifers as individuals as a prerequisite to genuinely humane containment and questioning that there need be main phases of life sentence through which all or even the great majority of lifers must pass.

Q2. *To what extent do you use, and value, the official policies, e.g. CI 2/89?*

Use:	Regularly	19 (46%)	Value:	Highly	10 (24%)
	Occasionally	14 (34%)		Reasonably	21 (51%)
	Seldom	2 (5%)		Marginal	2 (5%)
	Rarely if ever	5 (12%)		Little or none	5 (12%)
	No reply	1		No reply	3

A2. A substantial majority of Governors regard official policies as valuable and use them on an either occasional or regular basis. Perhaps the best illustration was 'It provides a structure which is commonly understood – it declares a commitment to a set of principles which are shared but ultimately it is only a guideline for the basis of judgements and discussion in individual cases.' It is however worth noting that 5 Governors rarely used the official circular instructions and regarded them as of little or no value. In all, 25 Governors (60%) commented. Of these, 10 had critical observations to make e.g. 'Policies are aimed at politics not the needs of the individual', 'often policies are too inflexible to allow for individual needs', 'I wish I could believe more in the reality of career plans' and 'There is inevitably a credibility gap between what is theoretically best practice and what is achievable at institution level.'

SUMMARY

The majority of Governors find official instructions are of good value and utility and those who commented were inclined to either endorse them enthusiastically or criticise as somewhat irrelevant or political.

Q6 If you could, what policies/procedures concerning the imprisonment of lifers would you change or introduce?

A6. This question triggered some of the most tendentious and thoughtful observations of the survey. There were so many detailed replies that several are reproduced in full, e.g.:

- 'More certainty for the lifer which implies the diminution of executive discretion. The implementation of the effects of the judgement in Thynne, Wilson and Gunnell. Either (a) the discontinuance of the Confidential Memorandum (lifer summary) which, in my experience has been found to contain much based on hearsay, offering to the executive information that was not presented to the Court and thus remained unchallenged, or (b) the disclosure of the Confidential Summary to the lifer. I know of a case where one of my former...lifera, who has now done 20 years plus, has been seeking its disclosure...for years. He believes it to contain inaccurate information and that judgements are based on this...';
- 'Abolish Life Sentence – which appears to be a sentence used in an arbitrary way';
- 'Greater openness in report writing and in feeding back. Greater emphasis on dealing with recognised and accepted problems – a problem-solving sentence planning strategy to be developed';
- 'Earlier release – we keep people too long.';
- 'tariff dates need to be set in open court';
- 'I would reduce management from HQ, substituting an area or main centre base for career planning';
- 'An end to the mandatory life sentence for murder and a greater emphasis on "risk" as opposed to retribution. To move the system away from political bias';

- 'To ensure that reduction in security grade-A to B, etc., did not bring about the deprivation that it does now – loss of privileges, worse regimes, loss of possessions';
- 'Stop politicians and others making ill-informed statements about how long lifers should serve. Give early and meaningful reviews and bring forward release dates for many' and
- 'The formal review procedures and the receipt of decisions needs expediting (I have worked in HQ) – I believe decisions could be given earlier (notwithstanding the Ministerial submission process)'.

The only comment critical of the treatment of lifers as too generous was:

I would not "spoil" lifers, they tend to see themselves as a class apart and worthy of special treatment. They think "improvement courses" should be at their beck and call. I would tell them all spend a few years in mundane jobs before granting them special privileges.'

SUMMARY

While it may be that the framing of this question invited criticism or comments focusing on the flaws of the current system, the fact that 40 of the 42 Governors were critical in varying degrees of fundamental policies and procedures for lifers was startling. The criticisms ranged from questioning the whole structure for Mandatory and Discretionary Life Sentences, through the need for prescriptive phases of sentences based on Security Categories, the bureaucracy of progress assessment and related delays and secrecy, to the often obscure or incomprehensible decisions, taken in private, about lifers' release. There is an understandable plea for

Devolution of decision-making from headquarters to Main Centres, areas or specific prisons and the concomitant concern that decisions were compromised by the political pressures not to be seen as soft on murderers, etc. Following the apparent satisfaction with official policy statements of the previous question, this response pattern strongly suggests that structural instructions and guidelines do not cater for the most primary, ethical issues endemic to life imprisonment. When 95% of prison Governors who deal with lifers are unhappy with how those lifers are treated, it raises additional questions as to the extent of job satisfaction such Governors can derive implementing policies with which they feel such apparently basic antipathy. I know from 17 years personal experience of dozens of Governors that the qualities of professionalism and responsibility are strong and that they consistently display integrity in adverse, stressful and vulnerable circumstances. To feel, and express, such views so forcefully challenges the Department's policies in some fundamental areas.

Q10. In their report, the Control Review Committee recommended that 'Prisoners serving long sentences should be given the opportunity of spending a substantial part of their sentence in prisons that offer a relatively open regime. In your opinion, does this happen?

A10. YES = 12 NO = 21 Other = 5 No reply = 3

The Governors, by an almost 2 to 1 majority (of those who replied – 5 couldn't answer as they felt they had no personal experience), felt that lifers and other long terms did not have such opportunities. Part of the problem was a perception that moving to a more open prison meant a reduction in privileges and therefore poorer quality of life – a serious

consideration for the lifer who anticipates spending years in each prison
e.g.:

'No. Much of this is down to the old problem about
Category C & D conditions. If there is more on offer at a
Category B or Dispersal, why move?'

Part of the problem lies in definition. The official policy intends
'relatively open regime' to refer to the quality and tolerance of the regime
even in a Category B prison rather more than referring only to Open i.e.
Category D/PRES prisons and some Category Cs. Relatively free
movement within a secure perimeter should not be confused with
unlocked doors and relatively unimpeded movement to and from the
local community. Most of the Governors had not trouble with the
distinction, hence:

'No. Lifers is my experience spend a fairly short time in
open prisons (although this may not be the same as an open
regime).'

and

'...In terms of sentence planning it seems...we have a
particularly difficult job in devising something that will not
simply produce a repetition of boredom. The same might
be true of a lifer reaching us early in sentence. The other
side of the coin suggests that the criminal justice system
may not be sensitive enough to the prospect of releasing a
lifer very early in sentence. To my knowledge (Category C
prisons)... has only ever received one lifer directly from a
Main Centre...There are others, however, who may be facing

a lengthy life sentence but for whom the degree of security afforded by a Main Centre is not necessarily essential.'

Possibly the most telling comment was more to do with the inequity of parallel practices for lifers and non-lifers than with definitions of openness:

'No. Many long termers are never down-graded, some even released as Category "A". Does not happen with lifers.'

In other words, where sentence length rather than risk is the final arbiter of release, the question of risk is apparently secondary. Among the 12 Governors who answered 'yes', some cautionary notes were rung e.g.:

'Yes, but one should be very cautious about the timing of their entry into such regimes and maintain the immediate option of removing to closed conditions should it become obvious the move is premature.'

and, this from a Category D Governor:

'Yes - I feel that this is the case though I feel that we receive too many that have not had their problem areas addressed prior to their move.'

SUMMARY

Fewer than one in three Governors felt prisons were offering long term prisoners sufficient exposure to 'relatively open regimes'. Most Governors seemed to take this to mean primarily Category D conditions. The convention at present is for the overwhelming majority of lifers to spend well over half, normally nearer three-quarters, of their sentences in Category A or B prisons and even in Category C prisons, which all have

security fences or walls. Relatively brief periods of up to 24 months are spent in Category D or PRES hostels. Almost two-thirds of the Governors felt the decisions to transfer to more open regimes, decisions made entirely by Lifer Sections, came too late and were used too cautiously.

Q11 Do you have any other comments on the issues of Life Sentence Policy as it affects prison regimes?

This final question also elicited many stimulating ideas and challenges. The depth of frustration with an apparently distant central office was reflected again in such comments as '...requires much resources and input from all departments yet no extra staff are given to a prison when lifers are introduced despite this being recommended e.g. by Inspectorate Reports and requests from the Governor', '...Also, it is possible to be almost at the point of release when some obscure figure in the Home Office decides you are not safe to release and has you returned to closed conditions. The prison staff then have to cope with all the questions from the inmate concerned when they don't have (and can't get) the answers.'. The frustration becomes something approaching anger, even cynicism, with regard to the political influences perceived: 'The political dimension of important decisions (where arbitrary decisions seem to be made which do not take account of our recommendations)...do prove problematic and difficult to explain to lifers. Life Sentence policy would be more understandable and acceptable if it were less politically sensitive. There also seem to be undue delays between reviews and the outcome of them being communicated to prisoners.' Assurances were given to the House of Lords Select Committee in June of 1989 that the average time between submission of lifer reviews and receiving a reply from HQ was 'down to about six months' and that 'my hope is...we will improve on that time'. In spite of these assurances, the average interval for a sample of 30 lifers at

one Category B prison between April 1990 and March 1991 was 8.7 months. Still on the theme of cynicism, one Governor wrote: 'Of immediate concern, and I have taken the advice of academic lawyers on this point, is the letter from...of DOC-2 addressed to governors of all lifer establishments...(it) refers to the implications of the European Court judgements in the cases of Thynne, Wilson and Gunnell (discretionary lifers who challenged the legality of non-judicial determinants for sentence length going unchallenged). This Governor interpreted the conclusion that 'Ministers are carefully considering the implications of the judgement but it is too early to say what form any such changes might take, or when they might be made' to be yet 'another example of Home Office saying "we know the judgement went against us but we will get around to changing things when we feel like it". Once lifers in those categories affected the by the judgement come to be aware that there is no great urgency within Home Office about implementing its requirements one can rightly anticipate a degree of anger and frustration that will be quite justified in the absence of compliance with the judgement. That of course could impact upon regimes.'

More constructive suggestions relate to a) dealing with the implications for the small number of lifers who may never be released, b) adult lifers being used to counsel YP lifers on how to settle and progress and requests for 'greater psychiatric and psychological input.' The lack of adequate psychological assistance is all the more apparent when considering the numbers either at or queuing for a place at Grendon Underwood, the Department's only therapy-based prison. Of the total of 2750 lifers (as of 1990), approximately 190 of them were at or waiting to go to Grendon i.e. 7%. Because of the limitations on throughput at Grendon, most of those queuing will never get there.

Four of the questions deal more directly with the research questions.

Q3 Do you believe Lifers and non-lifers should mix or be separated?

Opinions/Reasons:

A3 MIX = 30 SEPARATE = 3 BOTH = 3 Don't Know or N/R = 5

By the huge majority of ten to one, the Governor feel lifers should mix.

The most frequently cited reasons were to do with their stabilising influence and with the levelling, or reality-basing, influence that others have on them. Several Governors referred to the view that lifers' 'have a stabilising effect on the rest' and 'lifers have a calming influence', but there are also several qualified by the condition that they should mix with other long termers or that they should 'mix but always need to be a core of lifers to provide mutual support.' and that 'lifers themselves seem to prefer to be together.' These comments raise the ethical question that there may be a cost element for the lifer i.e. they may be subjected to unnecessary pressures or negative influences where they are in small minorities, haven't found support from other lifers or reference groups or where their own problems may be exacerbated by the pressures of coping with a predominantly short-term population with considerably less to loose than they do. Equally, some lifers are subjected to particular abuse or pressures due to their offences. Sex offenders and men who kill children or women are the most vulnerable groups of all and it follows that lifers are always going to be amongst the worst violators of this code. Where this is compounded by the fear that if they defend themselves against abuse, even assaults, it may be recorded against them in their record, it is an appalling case of double jeopardy. This dilemma is significantly reduced where the population is either predominantly or

exclusively lifer. To some extent then, it is a question of the interests of the prison to have lifers' stabilising influence or the interests of the lifers for a peaceful and unthreatened life. Some Governors don't see this problem e.g. 'I see no grounds for not mixing. If on their own, they come static, unrealistic and subject of far more mood swings. With others, they heard about life on the out (more up to date), can often exercise sensible ameliorating social skills (however if the other sentence pop. is too quick moving in and out that can be dispiriting when they get left behind).'

SUMMARY

The overwhelming majority of Governors favoured mixing. The notable exceptions were those prison which already separate, with Wormwood Scrubs and Kingston making particular arguments for the advantages of separation, particularly at the Induction and Pre-Release stages (their own provinces). They also observed that separation allowed regimes to focus resources more precisely on lifers' needs. Reservations about mixing were also about to do with the apprehensions that short sentence/high turnover prisoners had unsettling or depressing effects on lifers and that using lifers to settle regimes may be unfair to them. The most widely expressed pro-mixing argument was that it was useful reality-testing for lifers who should not be allowed to feel elite or special.

Q4 Do you believe lifers are different e.g. less criminal, more stable compared to non-lifers?

A4 YES = 25 (61%) NO = 4(10%) MIXED RESPONSE 8 (20%) N/R = 4

In fact, 86% of those who made unambiguous replies affirmed this impression (25 of 29). Some exception was made for those lifers described as 'gangsters or terrorists', who were clearly not to be confused with the mainstream of, largely 'domestic' lifers. There were several statements

defining 'stable' e.g. the attributes of criminal innocence, temperamental passivity or 'situational' offenders without actually differentiating them from 'unstable' or from 'stabilising', for which we have to wait until question 5. Some replies acknowledged the situational determinants of this stability e.g. 'Lifers have a great deal more to loose by deviant behaviour.', 'They are different and perceive themselves to be so. At the risk of generalising, they are more stable and value their indefinite home.' Of those who gave mixed responses, most were qualified 'yes's such as 'Yes, but in a variety of ways. Many are sophisticated criminals and the 'domestic lifer' whilst he does exist is a rare animal.' This gives a fresh slant on the equation and is a point often made by wing staff who contend that far from being naive or relatively innocent, many lifers are amongst the most criminally accomplished and their influence, even power, over the rest of the population stems more from respect tinged at times with fear than from the palliative effects of the lifer as a noble first custodial. One Governor touched on both points: 'The domestic murderer is in general far less criminally sophisticated then average - providing of course he has not been in the system too long and the institutionalisation process taken a grip on his life.' Perhaps the simplest yet most relevant comment is 'I think that what sets lifers apart generally is the uncertainty of how long they will serve...I think they have far more to lose than other prisoners and this results in more conformity.'

SUMMARY

Only 4 of the 37 Governors who replied felt lifers were not more stable and/or less criminal than non-lifers. From this and the previous reply pattern indicating that mixing lifers and non-lifers has a positive deterrent effect on the non-lifers, we are set to ask specifically whether the lifers exercise a stabilising influence.

Q5 Are Lifers a stabilising influence on non-lifers?

and

Q9 Do you have personal experience of lifers exercising a stabilising influence on prison regime?'

A5/9 Combining these questions gives a validation function, weighting the subjective accounts with as much anecdotal evidence as possible. Wherever the Governor indicates support for question 5, we look to personal experiences in question 9 for confirmation. Again, the great majority of Governors felt lifers were stabilising, 30 of 35 giving an unambiguous reply, or 86%. Most of the observations for question 5 are similar to those of questions 3 and 4 e.g. 'Yes - lifers act on the belief that they have more to lose from involvement in disturbances than other inmates and therefore often assist in defusing potential trouble.' One or two replies were fresh perceptions: '...Stable is a difficult word. Crime is generally a product of the young male. Most sentences are short sentences. Thus, if lifers are more 'stable', it may simply be that they are in prison for longer and that age brings maturity.' and 'Staff on the ground say this is so. Many short-terms tend to become agitated. They see a year's serving time as a lifetime - a length of days stretching endlessly ahead of them and having no end. Meeting with lifers who have served 7 years already can calm down a prisoner anxious about release.'

SUMMARY

Q5: There is no question but that most prison Governors (86%) regard lifers as a stabilising influence on regimes. They are seen as motivated by a determination to maintain a peaceful, predictable regime across the

range of prison types, young offender and adult, male and female. The characteristics ascribed to the lifers by Governors which are felt to contribute to this stabilising disposition include an acute awareness of the risks - implicit and explicit - of being indeterminate, a tendency to be less criminally institutionalised, more mature and as regarding their prison environment as a home away from home. There were few references to the positive influence being a product of the simple mathematics of lifers as a proportion of the total or of there being some minimum percentage necessary to exercise collective influence. The lifers were said to 'counsel non-confrontational solutions', 'often assist in defusing potential trouble' and also that they 'permit non-lifers to view their own sentences in a much more charitable and responsible way.'

When asked to give personal experience of the stabilising, all but three of the Governors gave specific accounts, some of which were both powerful and illustrative of this dependency. Amongst the many references, some stand out:

'(I) have worked with lifers for some 26 years at both ends of their sentence. There have been many instances i.e. lifers dissuaded a number of inmates from a 'sit-down' demonstration; a lifer persuaded hostage takers to give up hostage; lifers stood in front of an inmate threatening to kill an officer with a knife.'

'At the time of the disturbances following the Manchester riot in April, the lifers performed a valuable service in minimising potential problems in this prison.'

'A planned mass disturbance at Preston was abandoned when a group of lifers made it clear to other inmates that they would not tolerate it.'

'Calming down (in the elder statesman role) young volatile prisoners who were protesting about food. 3 or 4 lifers involved in calming down about 15 others.'

There were also several accounts of lifers imposing order on a wing short of the actual threat or outbreak of violence e.g.

'Lifers promised to keep 'hard' drugs out of the wing - proven (successful searches of visitors carrying illicit items, 'notes' in box, 'dealers' named.)'

The 'notes' refer to a reference to information provided to staff in secret, one of the most dangerous forms of informing.

'Lifers 'sort out' wing disputes between short termers; lifers advise me of problems current on the wing.'

'Yes, by the seriousness with which they can approach and make use of the period of custody. By the very length of time they tend to spend in any one place they can become very good at reading institutional dynamics and, if the regime is 'open' enough staff can benefit from their perceptions.'

In these observations (and several more of this ilk), we see more clearly the role that many lifers assume - something combining the security 'watchdog' function expected of staff with the credibility and acceptance

from other inmates which allows them access to discussions, pressures and plots inaccessible to staff. Without the trust and credibility of the inmate population, the lifers would, collectively or individually, possibly come under intolerable pressures, even risks. How then, do so many of them achieve this seemingly delicate balance? Another Governor may shed some light on this dynamic:

'I worry about the word 'stable' or hear 'stabilize'. I think back to...(a reference to an earlier prison post) when it was quite clear that it was the lifers and long termers who set the tone for the inmate culture. They made their protests but they were universally within acceptable boundaries...Paradoxically, it may be that through de-stabilising a regime it thereby becomes improved. I go back to...and look at the very powerful influence that I perceived the...(lifers) to have. The influence was asserted in a very subtle but effective way. Not once did they transgress any of the rules...and yet they patiently fought for their rights throughout their time there. (They)...fought for their rights and in doing so prison practice was necessarily affected and changed. The problem came in that staff came to see them as having a de-stabilising function since old ways had to alter. The (lifers)...became seen as subversive trouble-makers encouraging an unstable regime whereas in fact the reverse was true.'

This account suggests a fascinating additional factor - that groups of lifers can actually be engaged in a power struggle, not with groups of malcontent or malevolent prisoners but with staff, who may actually feel threatened by the power and influence of the lifers in their keep.

When seen in the context of the increasing proportions of new, inexperienced prison officers on the wings and landings of these prisons, the increasing importance of, and dependence upon, the lifers becomes most apparent. They are the 'culture carriers', even the guardians, of the ethos on those wings, in those prisons, where they are in significant numbers. Not only are the rest of the prisoners disproportionately influenced by the stabilising lifers, but the staff apparently are also and where the lifers demonstrate a particularly assertive (some staff might say zealous) posture with regard to a particular issue or grievance, staff may come to resent this, even view it as a usurping of their vested powers and interests. Curiously, one Governor, in denying that lifers did have a stabilising influence, may have confirmed this interpretation:

'No, they have always been present in long term prison. My comments refer to their behaviour, the way they serve their sentence and their approach to imprisonment. In other words, I believe their removal would have a detrimental effect upon control in long term prisons.'

SUMMARY

Most Governors agree that lifers were not only perceived as a stabilising influence but were able to cite many personal experiences to substantiate their impressions. Of the 7 Governors who said 'no', only 4 were not qualified or elaborate upon, with the other 3 close to being qualified affirmatives e.g. 'Yes and no. Collectively they seem to have a stabilising influence but individually those who are possibly going to spend most of their life in prison can completely disrupt the regime.' Effectively, as high as 90% (33 of 37) of the Governors could be said to have given at least qualified support to the proposition that lifers stabilise. The least

influence acknowledged was that lifers were more stable or less disruptive but not an influence on others. Prison staff generally accept that lifers are among the least troublesome and, partly because of their greater tenure, tend to be better informed of procedures, customs and conventions which, because of their vested interests, they wish to sustain. Staff also frequently observe that lifers, especially murderers (excluding those with helpless or child victims) can be feared by large numbers of non-lifers, apprehensions which the lifers often use to their advantage or in applying sanctions to the excesses of their peers.

Having said that, the high numbers of Governors who by definition have had experience of several prisons each in their service careers, confirmed repeatedly that lifers applied positive control, as well as acts of valour and commitment which went beyond a desire for a quiet life.

Q7 Do you believe in Capital Punishment?

A7 YES = 17 (41%) NO = 21 (51%) Other = 3

Six of the 'Yes' respondents qualified their reply by restricting the potential recipients of this ultimate sanction to small or 'tiny' minorities. One said 'After Guildford, who knows!' and another attempted humour: 'Only for civil servants who write long, ill-advised instructions for Governors.' It is difficult to make much of this response pattern in isolation. It may be worth however, comparing these replies with those of question 8, at least in the sense that it may be that those who advocate capital punishment would also be more likely to advocate longer sentences for lifers who have escaped, by law, that fate.

Q8 What do you understand or estimate to be the average term of imprisonment lifers are liable to serve now?

A8 29 (69%) Governors replied with specific averages ranging from 10 to 17 years and with a mean of 12.7. There were 6 nil replies and 6 who declined to comment for varying reasons to do with the meaninglessness of the concept 'average' in their eyes e.g. 'I don't believe that there is an average which has any meaning, but I do feel that the length of time served is increasing.' The second part of the question asked: 'Do you believe this is, broadly: Too short, About right or Too long.' None of the 41 Governors felt that sentence lengths were too short. 16 (39%) said they were 'About right' and 8 felt they were 'Too long'. Of the rest, 14 gave comments which either indicated they felt the question unanswerable because the length depended upon retribution and risk and there were too many individual differences, or because they had not given an average in the first instance. Controlling for the answers to question 7, we see that although there were no significant differences between those who were for Capital Punishment and those against in their estimate of how long lifers currently serve (11.5 years for the pro-CP Governors and 11.8 for the anti), there was a difference on their judgements as to the 'rightness' of this length. None of the 17 'pro' Governors felt the sentences were too long (seven thought lengths about right) whereas 8 of the 21 'anti' Governors (38%) did say that sentences were too long.

Soliciting value judgements about what is a fair term of imprisonment for a life sentence would seem justified in the context of this research, particularly where so many Governors appear unhappy with general policies for lifers. Given as well that sentence lengths have risen steadily since 1979, which meant more lifers serving even longer periods in prison, it was assumed this was an issue of some concern for

the people responsible for their imprisonment. Clearly an average is a valid way of balancing out the range of terms served, as it is the method used by the Home Office in their Annual Statistical Reports. It is also obviously a very real and unambiguous fact for the thousands of men and women actually serving the sentences. The current figures tend to significantly underestimate the real average served as it excludes all those lifers currently continuing their indeterminate sentences past their tariff dates, most of whom will have already served well over this average.

7.2 THE POLICY MAKER'S PERSPECTIVE

The same questions were put to the Governor in charge of the policy division responsible for Life Sentence prisoners. His personal philosophy for lifers was that an indeterminate form sentence needed to be phased subject to certain questions answered. Career Plans should be central to the question of progress and graduate progression was the way to proceed in future. A more sensitive definition of progression, which took account of domestic needs might not necessitate a physical move between prisons and through diminishing security categories but where more prisons offered a wider range of facilities. While these views could conceivably be described as benign even progressive in some respects, they would hardly constitute a general definition of a philosophy, rather more a set of operational opinions.

It was hardly surprising that HQ viewed the official Instructions as both highly valuable and regularly used: 'They are the bible, the authority, especially CI 2/89.'

It was also clear that mixing was right for the 'vast majority', who he felt 'must be mixed, especially towards the end of the sentence.' He

also felt that mixing was desirable during the Main Centre phase, 'to remind them of the reality of life in prison.' It would seem, then, that he feels the current policy is right, although I regrettably failed to ask what they would reality they would be reminded of if they were in a separate lifer prison. Where lifers were separated, as in HMP Kingston, the facilities and purposes there were complimented and, while criticised for sometimes becoming too 'precious' about their (Kingston's) Lifers, HQ recommended that another Main Lifer Centre would

He felt strongly that 'lifers are not different in any way to determinate prisoners except that they understood it was in their interest to behave' and it was this fact alone that made them a stabilising influence on others. Headquarters did not approve of lifers having any more privileges than non-lifers but allowed that they should be treated differently only in their assessments. Having said this, he did acknowledge a view that the lifers did tend to have fewer previous convictions and, somewhat contradictorily, that they were more stable as it was 'in their best interest to be more stable.' Answering the related Question (Q9), he regarded such positive influence as lifers might have as 'almost entirely the weight of numbers, proportion and aversion' i.e. a form of 'enlightened self-interest' and he did not accept that lifers were inherently better adjusted either in terms of personality or in reaction to imprisonment.

He was strongly against capital punishment: 'it's barbarous and solves absolutely nothing. It appeals only to a lust for revenge.'

He professed not to know what term the average lifer currently served, explaining that 'I've never really bothered. I see it as largely irrelevant. Comparisons are not helpful.'

In commenting upon the Control Review Committee recommendation of Question 9, he felt that this policy already definitely happened and that policy was clearly to get lifers into Category C conditions no later than three years before his Local Review Committee date. The biggest problem against this was that too many lifers were 'still dangerous when they arrive in Category C.'

Finally, the Governor avowed that there was something of a 'contradiction in terms' between dispersal and open prison regimes as prisons in Category A and B range actually had more 'open' regimes than did some in lower security categories. He defined this in terms of 'dynamic security' and 'positive containment', where the regimes allowed a much more egalitarian regime within a very secure perimeter with a healthy range of contingency plans in place for dealing with attempted breaches of the rules. I regret I did not ask for the definitive criteria for determining the efficacy of these regimes or the accuracy of his perceptions.

Following this part of the interview which covered the questions asked of the field Governors, a number of supplementary questions were put to the Headquarters Governor 1.

Q1 Are you happy with current procedures regarding Career Plans?

A1 'No. Lifers should attend meetings discussing career progress, the plans should have a progressive bias, there should be open reporting and the lifers should have sight of the plans.'

Q2 How do you respond to the recent European Court ruling on judicial panels to consider Discretionary Life Sentence prisoners for release?

A2 It 'won't apply'.

Q3 *To what extent can the present prison structure cope with the increasing numbers of lifers?*

A3 *'So long as we've got the prisons, we can cope.'*

Q4 *Do you feel there is adequate consultation with Governors of prisons with lifers?*

A4 *'No'.*

Q5 *Would you say that current murder convictions are receiving tariffs consistent with mitigating circumstances?*

A5 *'Yes'.*

Q6 *Are there any anomalies apparent between sentence lengths imposed for lifers compared to broadly comparable determinate sentences?*

A6 *'On the whole, No.'*

Q7 *Should the tariff be subject to appeal?*

A7 *'No, certainly not. No need at all.'*

Q8 *Do you have any concerns about the extent to which judicial views of tariff set are open to modification by the executive?*

A8 *'No, I don't. Murder and its consequences is, inevitably, a political offence. The majority of the public want more punishment. The judge's duty is to impose the sentence - that is where his authority ends.'*

Q9 *What criteria are used to define dangerousness?*

A9 *'I don't have any.' The crux is the nature of the offence. He must have come to terms with the destructiveness.'*

It is fascinating to have, on record, the official view that murder is a political crime and that, as a consequence, the determination of the length of sentence necessary to satisfy the Public's (or, more precisely, the presumed interpretations of the public will by civil servants and politicians) will is the exclusive prerogative not of the judiciary but of the executive. Indeed, this view seems to be confirmed by excerpts from evidence taken before the House of Lords Select Committee on Murder and Life Imprisonment. The then Deputy Under Secretary of State, replying to the suggestion that a judicial tribunal sitting to determine release of lifers, said:

'I think if I may say so, my Lord Chairman, that is probably a political judgement in the last resort.'

The Chairman, Lord Nathan, disagreed, pressing the Secretary of State to the effect 'But is it really such a political decision and if it were would that not be almost disastrous?' to which the Secretary replied 'I would agree absolutely that it would be a very sad situation if political judgements influence the way in which particular cases were being dealt with...'. Here the distinction is clear that the choice is between the deliberations of a politician i.e. Minister or those of a Tribunal chaired by a judge. These issues are developed further in Chapter 10 on policy implications and Final Remarks.

In summary, there are clear themes in the advice the Governors give. One of the strongest is to enfranchise the lifers more in their own destinies, to give real, rather than the semblance of, power-sharing. Another is to increase the responsibilities of the institution-based staff in progressing lifers through the system. The Governors acknowledged that the delays between LRC reports sent from prisons and the lifer hearing of

the Parole Board/Minister's decision causes enormous stress and fear in the lifers waiting to hear and question the compassion of a system which, for several years, has promised to improve i.e. reduce, the delays. The Governors endorse the lifers' major contributions to the stability of their prisons and a number of those Governors who are opposed to Capital Punishment also feel the current sentence lengths for lifers are too long. Finally, through all the replies, there were consistent themes of humanity, thoughtfulness and insight in this group of senior practitioners in prison management.

7.3 A COST-BENEFIT ANALYSIS

The process of stabilising which life sentence prisoners clearly exercise on the regimes of their prisons obviously has a significant purpose for the lifers themselves. Simply serving long sentences is not enough to explain this, nor is the related experience of particular prisons. The final essential characteristics seem to be the indefinite, dependent nature of lifers' imprisonment and a range of distinguishing characteristics which effectively enable them to influence others. If significant numbers of lifers possessed a malevolent or destructive intent, then clearly they would be an equally potent detrimental force, so these four key factors seem to apply.

What, though, are the costs to the lifers of these displays of commitment and stabilisation? What though is the cost to the lifers in these displays? One of the most honoured (and feared) taboos of prison culture is breaking the inmate code not to inform, or 'grass' on other inmates. The lifer who does so can be subjected to a frightening range of punishments. Some of the milder forms include being 'sent to Coventry',

former friends moving from adjacent cells, being addressed as 'Officer' Smith or referred to as a senior member of the Security Department. More direct proscriptions include contaminating your food and drink, urinating or defecating on the man's bed or cell floor, stealing from his cell, killing a pet bird, sending threatening messages or, ultimately, being physically abused and assaulted. This last punishment can be extremely violent including stabbing and serious harm. Other, more ingenious penalties used include lying about the lifer's involvement in various nefarious activities e.g. drug dealing which, if adroitly promulgated, can even result in the lifer being 'ghosted', transferred to another prison without prior notice or explanation, a staff decision which would definitely cast a major shadow over the lifer's record of progress in prison and consequently his consideration for progressive moves and eventual release. The costs of intervening in proposed acts of indiscipline and riots, of informing to staff or of direct action to stop other prisoners from e.g. assaulting staff, may actually be life-threatening or risking his own freedom being delayed by years, even indefinitely. The implications for staff e.g. the extent to which lifers can justifiably be encouraged to inform, bear consideration. Wider implications for general policies regarding lifer allocation insofar as they may be unfairly disadvantaged by certain allocations or Career Plan moves are also serious. Lifers know that, having been seen to have broken the code in one prison, word of this 'betrayal' will have reached their next prison well in advance of their own move. In the majority of cases, given the policy of progressive moves through prisons with lower security conditions and therefore less staff, security and control, the lifers are exposed to what may actually be greater and greater risks of retaliation as they move towards their own release.

7.4 SUMMARY AND CONCLUSIONS

Any chapter on staff perspectives would be unrepresentative without the views of the uniform staff who deal with the inmates most directly and for most of the time. A total of 17 basic, Senior and Principal Officers were interviewed in the three adult prisons, with another 6 informally interviewed in the two YP centres during the course of the field visits. The main impressions from these were that staff views tended to be very much influenced by the nature of the prison in which they worked e.g. staff at Wormwood Scrubs and Aylesbury were much more supportive of separating lifers from non-lifers and generally described the lifers in more sympathetic terms than did those in the three places where they were mixed, Wakefield, Gartree and Swinfen Hall. Staff at Gartree, which had the most security-conscious ethos, were strongly of the impression that the arrival of lifers when the prison became a Main Centre had fundamentally altered the regime for the better i.e. more stable and significantly less likely to riot (there have in fact not been any riots in Gartree since 1982 when it became a Lifer centre, whereas it had been the scene of some of the worse disturbances on the national record during the 1970s). The 42 Governors who replied to the national survey had, predominantly, vast experience of direct contact with prisoners as well, as they would have begun their careers either as basic grade officers, Assistant Governors running wings themselves or would have served a year as a basic grade officer as part of their own grounding/training. Adding to these the results of the recorded descriptions of the young offenders from Aylesbury's staff and the additional comments of the specialist staff and the staff perspective would appear to have been comprehensively covered.

The Governors of the prisons with lifers are predominantly guided by three themes:

- 1) They acknowledge national policies but appear to give rather liberal local interpretations more dictated by personal judgement and principle than simple adherence to the 'book',
- 2) many of them clearly see lifers as deserving of different and better opportunities, partly due to their uniquely uncertain and stressful lives, and
- 3) lifers are a valuable asset to their prison regimes, exerting a generally positive, stabilising influence.

Few of the Governors indicated that they were aware of any ethical conflicts in the existing arrangements for lifers. There was, however, some concern that lifers tended to move more slowly through a decategorisation of prisons than was necessary, both in terms of having to wait long periods for notification of a move, progressive or not, and in spending more years in higher security prison than was necessary. There was also a not surprising request for more devolution of power from headquarters to Areas or specific assessment prisons like the Main Centres. Of course, there was a strong element of enlightened self-interest in the Governors' collectively critical view of their superiors' reluctance to process lifers whilst openly accepting that they benefited themselves considerably by retaining the lifers as long as possible. It is difficult to avoid the impression that those in power are perpetuating practices of questionable ethical validity for their own vested interests. The priorities of the policy-makers appeared to be rather more towards the maintenance of a positive prison-orientated life, for both the lifers and the prison managers, than towards progressing these prisoners as

effectively as possible through terms of imprisonment geared towards release. Given the empirical evidence discriminating most lifers from most non-lifers, and confirming that the lifers were less criminally and prison experienced, the policy-makers displayed an alarming ignorance of these fundamental differences. There was, equally, a line of discernment of wider policy implications in direct conflict with more recent recommendations of the Criminal Justice Act, 1991. This final point will be developed in the final chapter on conclusions and recommendations.

The nature of this questionnaire as a research instrument is possibly limited by the inherent tendency to be critical of superiors and the large, impersonal beaurocracy above them.

CHAPTER 8

THE INDIVIDUAL LIFERS' ACCOUNTS

- 8.1 Selected Lifers' Stories
- 8.2 Excerpts from 'A Report on the Penal Response to Life Sentence Prisoners.'

CHAPTER 8

THE INDIVIDUAL LIFERS' ACCOUNTS

8.1 SELECTED LIFERS' STORIES

The reality of doing a Life Sentence is an unequivocally personal experience, far from the ordered, calculated statements of the Prison Service Circular Instructions and Home Office Notices. Lifers' reality is in the sights and smells of a recess (toilet and ablutions) area where over the years, millions of gallons of stale urine has been dumped after sitting overnight in cells, where faeces have been smeared on walls and around cubicles, and where the paint from peeling, pocked ceilings hangs and drops into sinks; a reality where meals can include a burnt sausage and one stewed tomato on a slice of burnt, dry toast is the meal provided, without choice, at 4 in the afternoon with the next meal not until the following morning; where kitchens, thanks to Crown Immunity, have no obligations to comply with the Environmental Health reports which would close public restaurants immediately; and where you are obliged to live amongst and socialise with, hundreds of other men who count among their numbers an unknown number who have proven themselves capable of unprovoked abuse, aggression and even murder for relatively minor slights (of course these include some of the lifers themselves). No apology is offered for such emotive narrative. These are a brief few of the simple facts which the author has experienced on a regular basis throughout the period since 1974, not just during the course of this

research. Their worlds are bounded by bricks and uncertainty; their futures are not wrapped in Life Assurance policies but Life Sentence policies and they know the only power they possess is allocated to them on sufferance from the real Authorities, the staff. In being judged by the Law, they are proscribed or, literally, 'to put outside the protection of the law', by the reality of their imprisonment. How then, do they make sense of this existence? How do they describe the real life imprisonment? It would be unethical to research the effects of life imprisonment without recording in detail the accounts of how some of these men live their lives in the prisons we, the public, endorse.

METHOD

In order to gain what needs to be effectively unexpurgated accounts, they must come from men who trust the researcher. I was in the uniquely fortunate position at the later stages of this research period (begun in 1985, these accounts were given between May 1989 and June 1991) while Head of Psychology at HMP Grendon Underwood. In this capacity, I was Wing Therapist on one of the Therapeutic Communities of Grendon and deeply involved in the individual lives of dozens of men, including several lifers. These lifers had reached the mid-to late stages of their careers and met the classic Grendon referral characteristics of being 'bright, verbal and anxious', decidedly not what the popular misconceptions of Grendon inmates suggest. While they may have arrived with problems of personality, they had spent an average of almost two years at Grendon and had 'graduated' from therapy as successes i.e. they were stable, lucid and articulate. Their accounts were collected in extended interviews, some of more than one sessions and were supplemented by my own extensive personal knowledge of them, prison records and their Wing Dossiers which were records of their progress at

Grendon. One final point by way of explanation as to why these accounts are presented at this part of the research. They afford an ideographic link between the descriptive, quantitative and qualitative accounts and comparisons of the first two Research Hypotheses and the final set of questions about the wider policy implications for lifers. Specifically, what are the 'costs' of these policies to the lifers?

NUMBER 1 - THE CASE OF 'A'

A was born in the 1950s in Lancashire of an English mother and an East European father. He was frequently punished, sometimes severely and physically by his domineering, aggressive father and he started to run away from home aged around ten. By 12, he was placed in local Authority Care and regularly absconded from Homes. When he was 15, he was convicted of theft and sent to Approval School. followed by the familiar graduation through borstal and prison so that he was almost continuously inside for the next five years. Late in 1970, he was convicted of entering a house and threatening a young girl with a knife. He was sentenced to 18 months imprisonment. He was 17 on his release and was only free for two weeks before he was apprehended and charged with the offences for which he is still serving two Life sentences.

A was found guilty of Aggravated Burglary and Wounding with intent to do GBH in the course of a house-breaking. Two Psychiatrists who interviewed him recommended to the Judge that he be treated in a local hospital as he was suffering from severe depression and was a risk of suicide. The Judge concluded that, although he knew A was sick and was sorry for him, his greater responsibility was to protect others from him. A was sentenced to Life times 2 in December 1971 and was classified

as security category A. He was transferred to Wakefield to begin his term of imprisonment. It would, of course, be inappropriate to give too much detail which might identify individual cases, but it may suffice to summarise A's passage over the next few years as uneven and, at times, fragmentary. He was regularly placed on Rule 43 - Own Protection at his own request due to various pressures of being an inadequate, depressive teenager in a maximum security prison on the highest security classification - he was threatened with violence and sexual assaults, got into trouble over bad debts and regularly made unusual, even bizarre Applications to the Governors e.g. to become a Soviet citizen. Although the trial judge had recommended that A's future 'will now depend upon the view the Doctors take of his recovery and parole in the future will depend largely upon their view', there is scant reference in his official record of any treatment. He was, however, labelled as 'a very disturbed personality of the inadequate psychopathic type...' by a Medical Officer who had not, apparently, actually interviewed A. By the end of his first decade inside, A's survival pattern was fixed. He would move from prison to prison and within days get himself placed on Rule 43 for his own protection, often spending months even years, trying to avoid the main prison wings. By this time, he had been raped by other inmates on one of his frequent stints on 'normal' location. From 1981 until 1987, A was transferred between 6 different prisons and had spent most of his time in each on Segregation, Rule 43-OP. Finally, in 1985, the reports changed in tenor, becoming more positive and reflected a growing stability. The Governor in charge of the then current prison went critically on record, during the formal reviews lifers are obliged to receive. This exceptional act merits extensive quoting of his report:

'Much has been written about this prisoner in the past 15 years and numerous "labels" have been applied, in an effort to describe his personality and behaviour. With the invaluable tool of hindsight firmly in my grasp, I feel that I must take issue with much that has been written...to set the matter straight, to establish the facts as they really are, and to make positive suggestions for the future. When evaluating A's behaviour, we need to be clear about the foundations from which that behaviour emanates. As an example, an individual whose whole life-experience has consisted of cold, impersonal relationships can hardly be expected to have developed the same personality traits, character strengths and human values as a person from a more favourable background.'

The Governor continues:

'It is therefore essential that we remind ourselves of the facts. This man is reported to have had an unhappy childhood and to have been deprived of parental care from the age of 12 years. Since that time for a total of 21 years - he has virtually spent his life in custody. He has experienced children's homes, approved schools, Detention centres, Borstal training and a previous prison sentence. I wonder if anyone really expects that a person with such a background, and who began his life sentence as an 18 year old youth, should be exhibiting what we like to regard as 'normal' behaviour?

For myself, I prefer to adopt a more realistic approach and to accept that A is the product of the Criminal Justice System...Let us remember that A, like the rest of us, consists of his experiences...he is very aware that life is passing him by...and he now realises that he will probably have completed half of his expected life-span by the time he is released from prison.'

Before I complete the quotation, I would pause to observe how apt the earlier theoretical references appear to this case. We see the sociological observations of Anomie and Labelling theories, the transparent indications of the longitudinal prescriptions from the Cambridge Institute's work, especially that of Farrington, and the equally applicable behavioural learning paradigm from Bysenck, Williams et.al., all combining to make Clarke's observations particularly apposite: 'regarding the offender as a rational decision maker also provides a useful alternative way of conceptualizing motivation: the motives for misconduct in the institution...are seen to rest not in basic features of personality, but in the benefits that the offender thinks he will obtain. Thus the approved school boy absconds not because he is impulsive...but because he wants to escape a bully.' Perhaps A chose to live segregated from prison life as a form of escape from a life too brutalising to endure. Equally, when his repertoire of interpersonal skills were so limited, his choice options were commensurate.

The Governor's Report opined that:

'Whilst he committed a serious crime, he sees murderers being released after less time than he has served and this adds to his confusion...(and bitterness?)...we are left with the

question of this man's future. A's behaviour...in prison shows clearly that he is a somewhat solitary individual, who does not make friends easily...his relationships with the less "official" members of staff have been reasonable and potentially positive, but his inter-relationships skills, perhaps understandably, are not of a high order. As a result, and as his record shows, he seems happiest when serving his sentence as a series of short-stay "blocks" of imprisonment, interspaced with regular changes of environment. I regard this as reasonable behaviour and I see no need to condemn him for it.'

The Governor concluded by outlining his recommendations for A's progression through Category C, Open prison and a Pre-Release hostel leading to release. He envisaged this taking about 3 years, giving A freedom in mid-1989. He concluded

'By that time, he will have served some 18 years for this offence. If we equate this to a fixed term of imprisonment, then his sentence, with full remission, would have been 27 years. I think this may be regarded, by even the most extremist members of society, as a sufficiently long sentence to be served by a juvenile for unlawful wounding.'

In spite of this eloquent argument, and the support of the Local Review Committee, A's provisional release was not granted. He moved again including a transfer to Grendon Underwood. There, he proved to be far more adaptable, eventually achieving unanimous approval for his progress and, again, unanimous recommendations for release. Two poems he wrote during this time may serve to give some insight into the

'reality' of imprisonment for this atypical lifer. A talented artist, he had for some years been unable to draw or write but, after settling into a therapeutic wing, he wrote

RETURN TO THE PURPLE HAZE circa 1988

'Fifty miles of rotten ruts, stagnating pools,
 Playing hopscotch with fireflies, bees and mosquitos;
 Signposts painting into the verges: rest here, rest there,
 And the Sun, a half-inch disc in the sky, baleful.
 Sitting on my shoulders, an extra burden...drops of sweat
 Rush and join to integrate into a torrent of discomfort...

Forty miles of wavering mirage, cascading tears...
 Ragged breath, torn and ripped from the fabric within
 Tossed into the slipstream and left to merge
 With mad and dying vegetation! Such is the trail
 Left to follow; meandering, winding and twisting;
 Merely a stain, an unpredictable route to chaotic ends...

Thirty miles of vapourised heat, pursuing Time
 On tired feet; searching, stumbling, fumbling...
 Darkness washes into the fading airscape, intrusive,
 Conveying the sharp bite of the hungry and famished chill,
 Seeking every opportunity of energy bared,
 And fastening on it, exhausting reserves...

Twenty miles of bitter night; exposed, isolated...
 Shadows abound, cathedral cities of black reflection
 Stand constructed, encrusted with ice, glistening white,
 Flashing argent fire and mimicking glee, promising

destruction...

Determination flags, flees, stops, reluctantly returns,
Recalled by desperation and panic; so near the goal...

Ten miles of hallucination, divorced of real dimension;
Figures leap from impossible angles, insubstantial,
But terrifying in their intensity (The Guardians,
Protectors of the Realm); friend or foe? Friend, friend!
And laying down, lifted; transported on wreaths of mist;
Watching, conscious of the shimmering haze, once grey
revealing shades of purple.'

I know of no more anguished yet eloquent chronicle of a man's passage through twenty years of prison. It was written shortly after A arrived on the therapeutic community where he was to spend the next two years. It was obviously meant to be read in conjunction with the next poem, written a few months later.

ESCAPE FROM PURPLE HAZE

'Mirage

Image

Imagine

Wild ebonic shadows converging
into a single night where terror boils
like an acid sea within the living flesh flight
blind

total

the purple tendrils reveal revelations purpose
running feet echo, I ricochet from the walls
in close pursuit, closing, closing pain

survive

resist

escape

to escape and so to live, strength in all

and - this is lost; what hope? And yet

there is but one final act...to strike!

and so it is

your self is immortal and secure

within the limits of limitless wisdom,

within the apex of your mind, expand

along the essence of truth in you - expand!

A circle is divided into nine equal parts,

Six points are connected by a figure, symmetrical

in relation to the diameter passing through

the uppermost point of the divisions of the circumference

Which is the apex of an equilateral triangle

linking the points of the divisions which do not

enter into the original figure's construction

It was given such significance by those who knew

that they considered to keep the knowledge of its secret.

There within the reaches of the purple haze

assailed by every sense of forces dark and foul

describe the diagram with what strength remains

if only by the use of one finger in the dust

for it is the philosophers stone of alchemy and

is the perpetual motion Man has sought

since antiquity but discovered not...

seek not outside yourself
 for the answers lay as scattered gems
 within the garden of your soul
 the keys are found in what is not told
 the spell is invoked, the Purple Haze is left behind...

When A was asked for his views concerning lifers and the prison system, he was brief. He felt lifers should be separated as they tended to be more stable and non-lifers more disruptive with the result that the lifers were unfairly pressured. He felt more strongly that lifers who'd been inside for a few years were a consistently stabilising influence on others but not early on when they were coming to terms with their sentences. The stabilising was most apparent in terms of a riot situation

'coming down, when you need to do everything they can to avoid; need to try to defuse because once the riot happens, everyone is in it, even if you try to avoid it'

and this would have damaging effects on your record and chances of release, whether you were involved or not. He felt this was unethical because 'we, lifers, are being used and, if we can't stabilise, we suffer.' He agreed with the policy to disperse Category A prisoners because 'all together would explode', but he felt that most Category As didn't need to be so classified. Finally, A said

'Most of my sentence, I've done nothing but exist. The system is unethical; the system stinks. It is contrary to human values. England - they want a large prison system - they create the conditions and we exist in them, or tolerate them.'

At Grendon, A's progress was outstanding. He accepted his previous anxieties, withdrawal and failure to cope in conventional prisons. He discussed in detail the damage caused by his parenting and early years but denied his crimes, maintaining a confession was coerced from him. In the Community, A was elected Vice-Chairman, a Red Band Trustee, an Interwing Committee representative and given various other responsible positions including organising a Wing Social for 60 visitors and giving the 'thank-you' speech. As a result of positive progress reports from staff, his F75 Reports (preparatory to formal Release review) were requested by Headquarters a year early. The Wing Therapist concluded

'This man's imprisonment is...the most appalling example of injustice I have experienced...Natural justice and human compassion, as well as the long-since paid tariff and the minimal risk, demand this man's release at the earliest possible date.'

The Psychiatrist said 'I do not see his imprisonment being of great value or of help.' The Governor of the prison said

'A has been under close scrutiny from highly skilled staff and his fellow inmates...and his attitude has been tested and is considered genuine. He does not present a risk to the outside public and further incarceration would not only be of no benefit to society and to him but would merely enhance the process of prisonisation. ...we would recommend...to prepare him for release as expeditiously as is considered Ministerially possible.'

The Local Review Committee said

'He has committed no offence of assault for 13 years. He has consistently matured despite all the odds against him...A provisional date given quickly could undo some of the damage that has been caused to this man through this prolonged period of imprisonment. He has made excellent progress since coming back to Grendon. It is our view that he should be released from Grendon.'

They go on to conclude

'it was quite clear from the reports since 1980 that nothing other than damage can be done to this man by prolonged imprisonment. We ask for a speedy decision to be made please. We are appalled at the length of time that this man has served in prison.'

These were the unanimous views of the Committee. Because it is policy and tradition, staff shared their reports with him and, in a spirit of guarded optimism, A wrote his 'project release plan' at the end of March 1990 as he waited for an answer (the reports had gone to HQ six months earlier):

'As I begin to write this I am waiting for an answer to my LRC Review...I understand that I will need a period of readjustment to help me to get back into society. Although I have not become institutionalised and have no fear of being released, there are certain obvious problems which I will have to overcome. The quality of help and counsel I have been given at Grendon over the past 18 months has been second to none. My confidence of succeeding has been developed here...and is based...on a foundation of mutual

faith and trust which I have not experienced to such an extent previously.'

A went on to outline detailed release plans which included a place in a Hostel and which had the support and approval of his Probation Officer. 8 months later, when A had still not had an answer, reports were due for the internal 6 Monthly Review Boards standard for all lifers. They concluded

'What can one add to this case? He was reviewed in September and is awaiting an answer. The general and overwhelming feeling here is that he is ready for release.'

The Chaplain said

'All I can say at this stage is that those in authority need to be told yet again that he should be released from his long, long prison sentence as quickly as possible.'

The Probation Officer said

'He can now see and value a stable future life, but feels powerless as to reaching it and so I feel he needs to be given hope as soon as possible.'

The Psychiatrist now responsible said

'He has, by all accounts, made quite significant progress in therapy and is perhaps the most respected member of the community, whose impartial criticism, relevant observations and constructive advice are much appreciated by his peers and staff alike. He is very articulate and express his strong views without fear or favour. He is also very

polite, respectful of authority and exercises a strong stabilising influence on the community by his example. There is no evidence of any disorder of the processes of thought or any aberration of perception. There is no evidence of a depressive illness or an organic cerebral lesion. He has re-established a relationship with his mother and a very close one with his girl-friend who appear to look forward to the day of his eventual release. They jointly provide him with all the encouragement and support he needs. There does not appear to be any further benefit which could accrue to him by prolonging his stay in the penal system.'

In spite of this overwhelming support and testimony, A was ultimately unsuccessful in obtaining a Provisional Release Date. He is still in prison and past the 21st anniversary of his crime. How many of the murderers sentenced in the same year are still inside? How many of the rapists, arsonists and armed robbers, regardless of their behaviour inside prison during their sentences and regardless of the risk of reoffending which have been observed in them, sentenced in the same year, are still inside?

NUMBER 2 - THE CASE OF 'B'

B was born in Paddington, London in 1951 into a stable, lower middle-class family with five children. B has a twin brother. After a normal happy childhood and youth including particular successes at school until aged 13, his father moved him to a different, Comprehensive school where he became involved with skinheads, rejecting school and becoming increasingly rebellious, so much so that he left school without qualifications. He was involved in the assault of a homosexual in a park

as part of a gang and, when the man died from his injuries, B was arrested and ultimately convicted of Murder. He was sent to Wormwood Scrubs:

'Total and absolutely numbing - like being smashed by a wet sock full of lead - shock, confusion - it hurt so much I had to anaesthetise from the pain.'

Next, he was moved to Aylesbury Youth Custody Centre for two years where he

'underwent a change - before, I was an outsider locked inside. Then I had a horrifying "nervous breakdown" which left me being an insider wanting to get out (the difference was that I realised I'd become part of the System and that I could see a way of getting out). This took pressure off me and I went on an inward journey - I started my therapy aged 20 in Aylesbury. Stripped myself, week after week, of the tinsel that made me a thug.'

B was transferred, on reclassification as an adult, to Wakefield where he was to spend the next 4 1/2 years. He recalls that 'shortly after arriving, I 'imploded', reduced to a minimalist world, very introspective' but that he gradually stabilised and eventually

'took responsibility - got a Red Band job - I became a part of the Prison System, had responsibility for a part of it. The worst was a physical assault and sexual (which I latter consented to). The gardens party became almost an awesome responsibility - thousands of plants. I think on that

gardens party, I became a man - I grew up - establishing and maturing my ideals and idea.'

Much of this process of maturing B puts down to himself rather than the prisons, which he generally described as negative, even destructive, environments. He eventually was moved on to Sudbury (a Category C), a Pre-Release Hostel and freedom, in 1978. Just over seven years later, in January 1986, B was found lying on a bed in a dormitory of Sudbury prison, where he claimed he was pursuing a personal protest about the conditions for prisoners and where he said he wished to be returned to prison. What had happened to cause this extraordinary request? On release, B had gone to live with his parents and readily found employment. He later married, had a daughter and a reasonably happy life until, some three years later, they broke up and eventually divorced. His work was in the 'caring' fields, e.g. working in geriatric homes and a psychiatric hospital. Increasingly, he became frustrated and angry at the restrictions imposed by his life license, and, having lost jobs because of his past, he determined to fight to have his license withdrawn. Failing this, he says he decided to return to prison to both demonstrate his refusal to comply with the conditions imposed upon him and to help other men in prison. A consultant Psychiatrist was called upon to report to the Court and he concluded that, due to Mr B's preoccupation with the issue of prison reform and his 'related conduct' which 'leads me to the opinion that he is suffering from a mental illness', which he believed was 'probably part of a manic-depressive psychosis', B was 'in need of skilled and sensitive psychiatric treatment' and that 'this treatment should be given in prison or in a Special Hospital (such as Broadmoor)'. B reflects that:

'I was out for seven years. Prison had damaged me - it beat me, smashed me, hurt me. Before, I used to look outside for sanctions but when I came back inside, I knew my own mind.'

After a brief period at Leicester, B was transferred to Maidstone for two years, which he recalls was

'wasteful, degenerating, pot-smoking, wasn't creative, cabbage factory, endless rounds of videos and association, frustrating, not a sensitive environment.'

He was transferred to Grendon in September 1988 'for Assessment and much will depend on the conclusions of the psychiatrists and other staff there.' The Senior Medical Officer at Grendon was not optimistic:

'I believe he has got a treatable condition and that Grendon may be of assistance in resolving it. In some respects, this belief may be a Pangloss preference to the alternative gloomy view, and I confess I cannot be optimistic about the outcome. It is, however, more than worth a shot.'

Two years later, B had completely reversed his decision to 'die in prison' rather than live on license and had enthusiastically planned to re-enter society, become a tertiary of the Franciscan Order (if accepted) or work with homeless people if not. These plans had been formulated over a period of over a year and represented the product of many months of intensive therapy. All of the reports on B strongly recommended his immediate release and spoke confidently that he was no risk whatsoever to anyone. The Secretary of State, again, disagreed with all these reports and directed B to be transferred to a Category D prison for nine months,

followed by a period in a Pre-Release Employment Scheme Hostel when, subject to 'satisfactory arrangements being made for his resettlement', he should be released on licence.

B's views about the relationship between lifers and other prisoners are fairly standard. He confirmed that lifers were definitely a stabilising influence and helped other prisoners stay out of trouble

'but only if you allow them the responsibility they can take and deserve - if you remove the responsibility and trust, you've got trouble because they've got nothing to lose.'

He said he didn't actually feel like a lifer because although he'd always been on a life sentence before, he'd refused to 'play the lifers card of asking for, or expecting, special consideration.' He regards those who make the vital decisions about lifers as out of touch and over-cautious, but understands their caution. B was transferred to a Category D prison in July 1991.

NUMBER 3 - THE CASE OF 'C'

C was born in 1957 in Durham. He was the youngest, by 11 years, of five children and thought himself to be a 'mistake'. By the time he was 11, all his sisters and brother had left home. C was spoilt and protected by his mother, was very much a loner, preferred wildlife, pets and walking alone in the woods. He was unhappy at school, truanted frequently and left without qualifications at the age of 15. He had already started drinking by then and lost his first job for drunkenness. Over the next two years, he was admitted to hospital three times because of his excessive drinking. He was still living at home, had one suicide attempt and felt himself a leech on the family, far too spoilt. The drinking worsened and

by the age of 22, he'd recently been released from Borstal and had been in hospital again for drunkenness. He had had a row with his parents, got drunk again, picked up a kitchen knife and went on a neighbourhood rampage which ended with C sexually assaulting a woman in her home and then stabbing her to death.

C was remanded in custody in 1979 and convicted in January 1980 of manslaughter, diminished responsibility. He went first to Liverpool, where he was made Category A. He recounts how, aged

'only 22, I used the Category A - we were exercised with 8 officers including a dog handler. I got a reputation - hard - it became like a game - got "dropsies" from my plight and reputation.'

Dropsies apparently were bits of dope or tobacco left in C's cell as sweeteners to keep on his good side, i.e. favours. After three months, he was moved to Wakefield, where

'I stuck with the Geordies and hooked up with a heavy villain who looked after me. Lots of cell hobbies - regularly exchanged money and dope for leather, matchstick models, painted eggs. I also got drugs to grind down and snort. The lifers tended to stick together.'

C was asked if lifers should mix or separate. He felt there were

'more disadvantages to mixing. For example, long termers take advantage of their sentence. Lifers should have a separate regime because of the mental strain e.g. on the day I was sentenced, I was put in a cell with a man only doing 12 months.'

What about demonstrations or riots?

'There was a sit-in planned by fixed sentences, the lifers didn't want to know. Once at Frankland, they smashed up about treatment on the landings. It involved six to eight men supported by most of the landing but not the lifers. Not fair to lifers. It's good mixing in some ways though, they look after you sometimes, but there's too much pressure being classed as scabs and taking flak for doing nothing.'

C is not a strong man and he speaks with fear of having to go back into 'the system' from the relative safety and humanity of Grendon, where he's been for the past two and a half years. He'd done 11 and a half at the time of writing and, although his LRC reports were originally submitted in 1989, he felt little confidence in an imminent release. He was fearful of and resisted being returned to even a Category C prison, which was seen as progress in HQ's eyes. A few months later, he was seriously beaten by fixed sentence prisoners because of his crimes (he was obliged to live in dormitory accommodation).

The next three cases will be presented in much briefer form, focusing entirely on the prison parts of their lives and their attitudes to life inside.

NUMBER 4 - THE CASE OF 'D'

D had one of the worst reputations in Wakefield. When I went there in 1985 as the new Head of the Psychology Department, I was given the standard tour of the prison by one of the Assistant Governors. We were standing on the middle landing, the 'twos', looking down through the wire mesh 'safety net' to the ground floor, where dozens of prisoners

were focused on forming up for tea. He pointed out a thin, dark-haired man of indeterminate age and explained that he was one of the most notorious criminals in the the prison, never caught but always at the centre of the wheeling and dealing that formed the core of normal A Wing life at Wakefield. Given that Wakefield had over 700 prisoners on 4 wings and that therefore A Wing housed over 180 prisoners, I was duly impressed with the gravity of this assessment. Two years later, I met the lifer in Grendon Underwood, where I had transferred also (one to become a therapist, the other to recieve it). D was a success in his 18 months in therapy and, although he was by no means an angel (there were breaches of rules along the way), he was light years from the infamous reputation which he carried in the system. D was cautiously willing to be interviewed for the purposes of this research and his views on lifers are elucidating.

D unambiguously confirmed that lifers do stabilise prisons, i.e.:

'If there's talk of demos or sit-downs, most lifers don't want to know and will stay in their cells because they'll get harsher treatment'.

He cited a 'lot of block at Wakefield' explaining that fixed sentence men would risk losing 56 days remission but that a lifer 'got 112 days on the block and it went onto your record.' In fact, he wasn't really confirming a stabilising influence so much a conditioned response to passive avoidance in the name of self-preservation - a reflection I suspect of his own experience as much as any wider perspective. D also felt strongly that lifers and fixed sentence prisoners should mix as

'it's more frustrating to always see the same faces year after year. Others going out act as measures of progress.'

He also related how on a solely lifer unit, a

'young kid just got life and had done 18 months and he comes across someone doing 14 or seven years and it would do him in - freak-out, go ape-shit (it happened to me at Long Lartin).'

D said that many lifers were powerful figures in the long term prisons, but that they weren't necessarily 'Barons' - strong figures who dealt in prison currencies like tobacco. Barons were a personality type and they had 'played out years ago' as tobacco was no longer the main currency. Drugs were, and the market was very complex. He had himself been involved but considerably less so in recent years. When asked if lifers needed to be in significant numbers to be a positive influence, he said they tended to form in small circles of friends or in twos and threes, not communities, so the numbers weren't all that important.

'Lifers, when they do have trouble, it tends to be young ones early in their sentences. I was rightly made Category A early on; getting off it was my problem.'

D was doing life for beating a woman to death with a hammer in the course of a house robbery that went wrong. He has done 12 years so far and has yet to receive a tariff date.

NUMBER 5 - THE CASE OF 'E'

E was convicted in 1982 of the murder of a female acquaintance whose body he subsequently mutilated. A rather nondescript man whose most distinguishing feature was his almost permanently woebegone countenance - a deeply wrinkled forehead, dark rings around the eyes and drooping jowls - all this on a man just into his 30's. I asked E to

chronicle his passage through the prisons he'd been in so far. Remanded in custody in Cardiff, he'd been put on the Hospital wing, where he recalled being frightened and shocked but relieved he wasn't on normal location. He spent most of the early time in his cell; it was his first ever time in prison. He assaulted an officer and barricaded himself in his cell for 'a couple of hours' before it was 'sorted out'. He had a pair of scissors and had threatened to hurt someone. He got the feeling they (staff) were afraid of him, but he denied remembering why it had all happened. He was only there long enough for the system to allocate him to a Main Centre and he recalls initially getting Wormwood Scrubs which he petitioned against as he didn't want to go to London and he eventually got Wakefield. He remembers going up to Yorkshire on a coach 'with 30 Social Security frauds.' Again, he remembers being 'scared stiff' when he arrived at Wakefield but he lied about his crime - said he'd killed his girlfriend - and was accepted.

'I went to church - it helped - I became known as ... E, the Christian. The social order was: 1st, London gangsters and 2nd, lifers, especially cop-killers.'

E was asked about lifers as a stabilising influence:

'Yes, but there were gangs on the wing - Manchester, Geordies, etc. and lots of sex offenders. There was very little trouble there - so many lifers. Without them, you got a lot of geezers with nothing to lose. Lifers had too much to lose - reports. This feeling was known - lifers don't want trouble. It depends on the ratios. There are a lot of lifers who don't need that level of security, e.g. Mike, Gerry - they're not criminal trouble-makers. Many lifers are damaged by

having to go through the Main Centres, dispersals, etc. - I've learned so much about how I should hate police, the system - I'd never thought about it. Significant numbers (of lifers) e.g. wife-killers, first offenders, inadequate - they could safely go through onto Category C - Kingston for example. We need a lifer prison in the gap (between the dispersals and the Category Cs like Kingston).'

In January 1987, E was transferred to Long Lartin, a Category B prison which is traditionally a staging post from the Main Centres. His account continues from the first day:

'Completely different - bait the screws, buck the system. I had felt some pride at Wakefield, but at Long Lartin, it was all cliques, all gangs. Sex offenders weren't accepted. It was a North-South thing - so-called London gangsters. The atmosphere was much worse - far less friendly between staff and inmates. The physical security was lax but Fresh Start changed all that. Lot of Long-timers, e.g. I.R.A., lots of Minimum Rec.s. At Cardiff, I was looked up to. At Wakefield, I was one of the lads but, at Long Lartin, I was nothing. There were ten on my landing. The other nine smoked pot and drank hooch. Staff happily let it go on. Sometimes, a screw would come along and have a drink or a spliff - all they wanted was a quiet life, no trouble, pick up their pay cheque. I survived by gambling, selling soft toys for drugs, etc. I used to hate myself. One part of me said I'm one of the lads again - accepted - but I knew ...'

E was transferred to Grendon in 1989:

'I applied in '85. Felt I needed to understand my crime ... Was told I'd come in June of '88. Got more and more paranoid, tried to kill myself. Set fire to cell. Used drink and drugs. I'd had a good record up to then but I was afraid I wouldn't get to Grendon. When I was told I wasn't a priority, I got a hammer and smashed up - Security Camera, etc.'

NUMBER 6 - THE CASE OF 'F'

F is serving life for a series of Arsons. He has been an arsonist all his adult life and now, at the age of 52, finds himself in the tenth year of this indeterminate sentence. He also was asked to recount his prison history:

'I started at Risley Hospital very suicidal. No, I wasn't but definitely very depressed. I was 14 days under observations then on the ward.'

Asked to describe his time at Risley, he said he didn't know much:

'Stayed on the Hospital, but I kept hearing the riots and demos on the YP wing. The Reception area was horrific, a huge holding cage. The whole process was humiliating; it totally strips you of any dignity. For young first custodials, I'm not surprised there are so many suicides. Visits were equally bad - shouting through cubicles.'

F went, via Liverpool, to Wakefield where he spent six and a half years on the same wing. He settled in fairly quickly:

'I got into a kitchen job to get away from the wing as much as possible, the same pattern as always in my life.'

When asked if lifers should mix, F said:

'Yes. If we were segregated, we'd lose all sense of reality. For example, movements are continuous; there's some sense of outside reality. Possibly the first year should give some separation and lifers could go through their expectations, i.e. do some lifer training. Wakefield had no lifer programme whatever apart from an initial induction board.'

Were lifers a stabilising influence?

'Yes - the most disruptive lifers spend most of their time down the block, etc. Most - the vast majority - just want a peaceful life. They aren't, by and large, active controllers. Just don't want to know.' I've tried to have a constant awareness that we tend to let our personal standards slip and this is wrong. I've tried.'

Apart from the first case (A), these lifers' stories are typical of those who have passed through the Main Centres, Dispersal and Category B prisons and are into their second decade of life imprisonment. Their accounts were related without rancor and should be taken on merit as accurate reflections of what people experience in the prisons of their country. It really must be stressed they are unexceptional. The administrative offices of prisons responsible for maintaining the Life sentence files on their lifers are full of the most voluminously documented prison passages; files so large they can only be measured in inches. How then can such 'tomes' be reduced to Career Plans of a few lines on one side of one sheet of paper? I have struggled on countless occasions to extract lifer files in excess of four inches thick from the cabinet drawer. Perhaps this magnitude of recording the lives of these men may be taken to reassure us of the

conscientiousness which the prison authorities bring to ensuring our safety. No-one can claim to be in ignorance of a lifer for lack of 'evidence' of his behaviour in prison. The record includes the opinions of every conceivable type of staff - no court could ask for more comprehensive accounting. Yet it is in this analogy with a court that the most glaring inequities appear. Once a man acquires a bad reputation in prison, there is no safeguard that he may rebut it, gain representation to challenge the opinions or even be aware they exist. In all that mountain of paper, housed in every one of the 53 prisons around the country which imprison lifers, there is scant evidence of the lifer's version of events; his point of view is second hand and, even if he has made the most eloquent of representations to the Local Review Committee, his credibility is questioned, i.e. 'he would say that wouldn't he?'

What though, can we conclude from these more detailed individual accounts which bear on the questions of the research. Although there is additional corroboration of the earlier inmates' views that lifers were indeed a force for stability and 'good order and discipline', it was not without a cost and there were a number of lifers who were clearly as ill-equipped to cope with the harshest imprisonment as any short-termers. We see also that these men have committed the most abhorrent of crimes and that the 'public will' might understandably hold the strongest of retributive motives in their, and similar, cases. Yet to what purpose? Are lifers to be released? For the overwhelming majority, the only answer is yes, and it would seem from hearing these men's experiences, this is not to be achieved without enduring dreadful pain and suffering. There are three levels of punishment here: the pains of imprisonment as punishment, the additional discomforts and risk of imprisonment in the most severe, secure and retributive conditions the

State can accept and the final punishment of having to endure this double-jeopardy without the benefit of knowing when it will end.

Anyone who has read the 'learned helplessness' research of Seligman can only marvel at the indomitable character of Man's capacity to endure and overcome.

8.2 EXCERPTS FROM 'A REPORT ON THE PENAL RESPONSE TO LIFE SENTENCE PRISONERS.'

The accounts of these six lifers, however emotive and illuminative, are limited by the facts that they were still held by the uncertainties of not having been granted Provisional Release Dates and might hence feel some temptation to respond in a certain way, although it must also be said that the extremely critical tenure of their remarks would hardly suggest that to be the case. Nevertheless, more extensive and possibly even more candid accounts are available by referring to the Prison Department's official accounts of 82 lifers who had already received Provisional dates and who formed part of a larger study into 'the nature of murder, to consider whether it can be categorised, and to identify possible areas of reform to the current legal definition.' This work provides an attractive, if coincidental, comparison group for the main research results so far. These 82 lifers were interviewed in their Category D prisons or Pre-Release Employment Scheme hostels and were asked questions concerning:

- 1) Length of time served; number of prisons; types of prisons experienced.
- 2) Experiences of the differences in the security of the prisons by Category e.g. from A or B through to D.

- 3) Views as to the merits of being imprisoned with short-termers and which sentence-types he'd chosen to associate with.
- 4) At what stages in imprisonment had they been able to start planning for release.
- 5) Views on being obliged to attend a PRES hostel, the merits of educational and vocational courses and the value and importance of letters and visits, and
- 6) Their feelings of having had any influence over the length of their imprisonment.

The official prison records and 'management perspective', especially as they applied to Career Plans, were added to provide more comprehensive and balanced accounts.

The 82 lifers were found to have already (excluding time remanded in custody and time still to serve before release) served an average of 11 years and four months, with a range from six and a half years to over 24 years. They had been in an average of 6.5 prisons, ranging from three to 16 and including 45% (37) who had been detained in more than one prison of the same categorisation. Thus, these lifers spent an average of one year and nine months per prison. This seems a relatively disruptive passage, hardly conducive to establishing close and sympathetic relationships with other inmates and the staff who are meant to report upon them.

If, it follows, the most important scrutiny as to suitability for release is in the conditions most similar to conditions outside prison, then time spent in Category C and D establishments was felt to be 'particularly important' and the overwhelming majority had been through either or

both (95%), though only 38 (46%) said they'd actually needed to be 'assisted in this way.' Most of the details of their accounts pointed towards the interpretation that staff seemed to take insufficient notice of the views of the lifers themselves regarding what was and was not useful or necessary in their preparations for release. Staff found, for example, that where lifers discounted certain release preparation courses, etc., that this demonstrated an 'inability to be sufficiently responsible' for themselves.

Lifers tended to associate most with other lifers (33%) or with short-termers and lifers 'equally' (57%). Most lifers sampled commented that short-termers were immature and regularly flouted prison rules, that such rule-breaking was far more damaging for lifers (their fear that such behaviour might 'possibly defer ... release by a matter of year.'), and that they generally had less in common. Although some lifers felt that associating with short-termers helped them focus more on life outside prison, perhaps the most significant finding was that '... only three said they really liked associating with short-termers ...'

When asked at what stage in their sentences the lifers could actually think of and plan for the future, the largest single group (29, 35%) said not until they'd been given a provisional release date! Also, fewer than half the total said they could consider leaving prison before they had at least gotten to a Category C prison. These findings might argue for the importance of focusing resources, including allocation policies, far more during the majority of lifer sentences on those characteristics most relevant to humane containment and an enhanced quality of life inside rather than stabilising regimes at any cost.

63 lifers (77%) felt that 'good behaviour in prison could not accelerate their release on license', with a further 12 (15%) saying that prison behaviour was irrelevant, leaving only seven lifers out of 82 with any belief that good behaviour can improve their chances of an earlier release.

Nearly two-thirds felt they'd been detained too long and, while it would be easy to dismiss this as totally predictable, it's worth noting that it was ONLY two-thirds (we might expect most) and that they, in most cases, only felt they'd been held in for two or three years too long, i.e. precisely the difference between the averages for lifers up to 1979 (when the average was nine years) compared to their own average of almost 11 and a half years.

Finally, over three-quarters of the sample argued that prison had had 'no noticeable effect on them', ALL 82 lifers maintained that they 'lacked any real faith or confidence in the efficiency of the penal system' and, I believe inextricably related to this, 'they never felt able to place any great trust in members of staff.'

Analyses of the prison records concluded that there were inescapable 'elements of uncertainty in the process of monitoring progress through the prison system and assessing suitability for release.'

The views of staff were more fully recounted. The staff at Wormwood Scrubs all highlighted the problems of delay, i.e. that the system was VERY INEFFICIENT in terms of the time taken to make important decisions about individual cases.' In spite of the earlier evidence to the contrary, most staff interviewed at Gartree 'confirmed the lack of any apparent common factors in lifers or their offences.'

Staff in the second phase prisons such as Frankland and Mainstone had more critical views towards Career Plans, especially that they were unrealistic for lifers who had been obliged to return from Category C or D prisons and where lifers are aware of very distant tariffs and are poorly motivated as a consequence. Here, again, staff were frequently critical of national policy where lifers were felt to be detained for longer than tariffs required (presumably, this implied too long in too secure conditions). At Kingston, a Category B which caters exclusively for lifers, staff were very strongly against mixing lifers with non-lifers as 'Mixing the two groups together would undermine the work with lifers'. Also, at Kingston, 'Most lifers are transferred ... to a Category C establishment ...' but 'Many staff felt that a much larger proportion could safely and properly be transferred to a Category D prison.'

Kingston staffs' fear of contamination of lifers by short-termers was repeated by the staff of Swinfen Hall, the only young custody centre visited by the researchers.

The views of staff in the Category C (Acklington and Featherstone) were essentially that more lifers could be moved more quickly to semi-open conditions, that the greater range of 'perks and privileges' in the more secure prisons were necessary as compensation, that 'prison stifles inmates' emotional development', and that career plans were of limited utility.

The staff at Leyhill, the Category D prison which holds by far the largest number of lifers, tended to support the quicker movement from Category B to C in that they felt that lifers who came to them from semi-open conditions were better equipped i.e. better able to 'organise things for themselves' and less cossetted than those 'who moved from places

such as Kingston'. Finally, at Ford Open Prison, 'As in all establishments which were visited, lifers were said to present no problems of control or security, and WERE GENERALLY REGARDED AS A STABILISING INFLUENCE IN THE PRISON.' In their own conclusions, the Home Office researchers stated that:

'We need to look seriously at the general question of the movement of prisoners from closed conditions "(usually in Category B establishments)" to semi-open and open prisons. This was asserted both in terms of the need to improve the privileges and conditions in Category Cs and Ds and in terms of the need to make earlier, greater use of Category C placements for lifers in their career progressions.'

A sizeable proportion of the lifers were unhappy with being accommodated with short-termers. The researchers raised the question of whether lifers should be separated, concluding that

'There is a clear and perhaps understandable temptation for prison staff to use the stabilising influence which all agree is provided by lifers by mixing them with short-term prisoners.'

They argued that lifers are denied the chance to walk away from trouble by having, for example, to share dormitory accommodation with the short-termers. Category C prisons frequently oblige lifers to share dorms with non-lifers. The conclusion is that lifers might gain the benefits of Category Cs including more selective mixing with non-lifers if separate accommodation was provided for them within the prisons.

There was some merit in separating out the 'domestic' lifers from the 'professional' or 'sophisticated' criminal lifers thus avoiding further contamination.

'The heart of the problem is motivation. Lifers need to be persuaded that although they must be detained for many more years, it is worth their while to make an effort. Inevitably, this will be impossible if lifers believe that they have no effective influence over what happens to them. If they are to have a sense of the future - their future - they must surely believe that what they do and how they conduct themselves has some relevance to their situation.'

Clearly, at present, they don't.

It was recently stated in the Handscomb case that where exceptional progress is made, the tariff may effectively be lowered so that the prisoner is released earlier than was originally anticipated. However, it is unlikely that this will have any beneficial effect in motivating lifers unless and until the Home Secretary acts upon this and authorises the release of prisoners on this basis. The results of this study obviously give cause for concern in this respect.'

Rarely can an independent researcher have had better coincidental corroboration for his findings. The implications of this, Home Office, research will be discussed and developed in the following chapters.

CHAPTER 9

COMPARISONS AND CONCLUSIONS

9.1 Introduction

CHAPTER 9

COMPARISONS AND CONCLUSIONS

9.1 INTRODUCTION

The main questions of this research were concerned to explore the nature of and differences between adolescent and adult offenders with particular reference to life sentences. In order to reach conclusions, it may be sufficient to return to the questions as posed in Chapter 2 and take them one by one.

9.1.1 Are life sentence prisoners different from fixed sentence prisoners?

The answer is clearly YES. We have seen that lifers are significantly discriminated from non-lifer samples in 5 Main Centres on the basis of age (older), marital status (more likely to have been divorced), and criminality (less likely to have previous convictions and previous custody). They are also (marginally) more intelligent and less likely to be 'tough-minded', hostile and critical of others. They are significantly less likely to be placed on Governor's Reports, and less likely also to be placed on R43-GOAD (good order and discipline). Finally, they are significantly less likely to have been found guilty of assaults on other inmates or staff.

9.1.2 Are they a coherent group in themselves?

The answer is, on balance, NO. The majority are obviously relatively similar in terms of the nature and severity of their crimes. From the Tables of section 5.2, they are differentiated in terms of relationship to their victims, the circumstances of their crimes (esp. murders), methods of killing, categorisations of 'types' of lifers inside prisons, premeditations and motives, etc. Although the largest single group of lifers are probably rightly described as 'domestic' murderers, these are also clearly sub-categories within sub-categories. They are also not seen as a coherent group by previous researchers or prison staff. Apart from the Governor in charge of the Lifer Management Unit, they are also recognised by every source referenced to be different both from non-lifers and amongst themselves. They also see themselves as different.

9.1.3 Do they differ in their attitudes to life and prison especially?

The answer is clearly YES. The adult non-lifers were more likely to give boredom or peer influence as reasons for beginning crime and the YP non-lifers were more likely to recall their first crimes as acquisitive. YP lifers were significantly less likely to regard themselves as criminal than selected non-lifers. Lifers are significantly less likely to have pleaded guilty to their present crime. This is often on legal advice. They are also, for both adults and YPs, more likely to regret their current crimes. The YPs regardless of sentence type are more likely to recall their friends as criminal than the adults, and to affirm an attraction to minorities and affiliations which might be indicative of alienation from the wider society. Adult lifers were more likely to recall unstable family histories and significantly fewer adult lifers said their parents were still together.

Turning more specifically to their views about life inside prison, the results continue to confirm there are several and significant differences between the groups. Lifers, whether adult or YP, were significantly more likely to record worsening feelings and attitudes towards their imprisonment since their arrival. The only exception were the lifers of Wormwood Scrubs D Wing, who were more likely to be 'positive, communicative and settled.'

There were qualitative differences between the lifers interviewed individually. Those at Wormwood Scrubs and Swinfen Hall tended to have more favourable regard for their prison regimes and this will be developed more in the relevant question which follows.

9.1.4 Do they differ according to their environment i.e. type of allocation, mixed or separated?

The answer is a qualified YES.

Anecdotally, the lifers interviewed in the adult prisons were no different in their views that lifers were different, regardless of whether they were mixed or separated. As already mentioned, the Scrubs lifers were the only groups of lifers who said their feelings towards the imprisonment had improved since coming to that prison, while the lifers at Aylesbury (the separated YPs) actually said they had changed more for the worse. There would appear to be a second major factor operating in this regard, that of the quality of the regime offered. Although there were no controlled comparisons carried out as part of the research, the patterns of descriptive responses, and my experience of the regimes, would tend to support the contention that the Swinfen Hall and Wormwood Scrubs regimes were more positive and supportive than those of Wakefield, Gartree or Aylesbury. Although there was an active and varied

programme on paper for the Gartree lifers, and Lifer Development courses were running, the general atmosphere and levels of tension on the 3 wings I visited (on three separate occasions) were the worst of the 5 prisons involved. Some of these impressions are further supported by the response patterns of the 'stabilising' questions to follow. There were no controlled comparisons made of the samples in terms of possible differences between them on background, criminality etc. versus allocation i.e. mixed or separated.

9.1.5 Do life sentence prisoners exercise a stabilising influence on the behaviour of other prisoners and the regimes of their prisons?

The interviews with individual lifers, both in the main sample and the Extended Interviews, the results of the survey of the Governors of all prisons with lifers in England and Wales, the views of selected staff in the prisons, the response patterns of over 230 inmates, lifers and non-lifers, and the view of the Governor in Charge of the Lifer Management unit (albeit qualified) support this view. They are both seen as having a stabilising influence in terms of the first-hand experience of the majority of over 400 people, staff and inmates alike, and they actually have a stabilising influence as evidenced by the specific accounts of several of the Governor's experience over the past 30 years (the career of the longest serving Governor who replied was 34 years). The rough indicator of Table 5.5 giving rates of offending by proportions of lifers also gives (an albeit qualified) support to this conclusion. The results of the Staff Perspective from the Aylesbury section, 6.4, also see the lifers described in far more favourable terms than the non-lifers and, while this only indicates a more positive impression rather than stabilising, it doesn't take too tenuous an extrapolation to suggest that inmates who have positively impressed are also themselves more stable. If therefore, a number of 'control problems'

wished to ferment unrest, they would presumably not find any collusiveness with the majority of lifers. The conclusion therefore is that not only are lifers less criminal and more stable themselves, but that the first-hand observed evidence of hundreds of those most directly involved confirm that lifers also exercise a stabilising influence on other prisoners and, as a consequence, the prison regimes in which they live.

9.1.6 How are they viewed by (a) prison staff and (b) policy-makers in these respects and how does this match 'reality'?

The views of the prisons' Governors were substantially pro-lifers and strongly critical of the policies and procedures for processing the lifers through their sentences. They were overwhelmingly in favour of mixing lifers and non-lifers, particularly given the stabilising effects they have and the perceived need for lifers to have the 'reality-testing' of mixing with other sentence types. This presumably refers to the need to see others released and to assist lifers in coming to terms with the realities of the next 10 to 15 years of their lives being spent in prisons. Lifers have credibility and access to other prisoners and the staff know, and regularly use, this fact to their own advantage. There is an open tradition in prisons with lifers that they tend to fill the most attractive jobs, particularly those known as 'Red Band' post which give them far greater mobility and, again, access, around the prisons. Security Departments owe an enormous debt of thanks to lifers for the countless unofficial 'SIR', or security information reports, provided by lifer sentence prisoners. In a sense, the Governors are applying precisely the same definition to their advocacy of lifers mixing as did the HQ Lifer Management Unit Governors when he described why he felt lifers had a positive effect i.e. 'enlightened self-interest'. This brings us effectively to the final two questions.

9.1.7 Should they (lifers) be used to stabilise?

The answer depends upon:

- 1) How the question is intended and
- 2) a cost-benefit analysis.

I am reminded of the comment of one governor who had, ironically, denied that lifers had a stabilising influence: 'I believe their removal would have a detrimental effect upon control in long term prisons.'

Perhaps the framing of the question is not right. Given that they clearly do have a stabilising effect, what are the arguments against continuing to imprison them according to security classification and Main Centre policy and, ultimately, what are the realistic alternatives?

I've already referred to the cost to lifers in terms of the risk of retribution from other inmates should they be labelled a 'grass' or informer and the longer term risks outlined on page 179, Chapter 7.

Other costs include:

- the possibility of unofficial pressures to keep them in their current prison i.e. to delay their transfers. Of course, this is a contentious comment and staff would presumably wish to rebut it, but I have experienced first hand the reluctance to lose a good lifer and although I've never actually seen proof that anyone has deliberately reported less favourably on a lifer's progress because of this, I do know the feelings exist. Of course, whether they were mixed or separate would not affect this factor.
- the cost to the lifers, or at least those who are stable, relatively non-criminal and stabilising, of having to live in inescapable proximity with fixed sentence men who are, we have seen, more criminal,

anti-prison, have dates for release and misbehave inside more frequently and severely.

- there are of course inevitable effects on the families and friends of the men when they see the conditions in the prisons and effects on their sons, husbands and fathers. This presumption is predicated upon the impression that the overall standards in the Dispersal and Category B prisons are poorer than in the lower security prisons which may not be entirely the case. It is also a popular impression that the amenities of the lower category prisons are sometimes poorer or sparser than in the higher ones.
- there is the literal cost of housing prisoners in Category A-imposed conditions of security. The cost per man of the Dispersals is the highest for any prison category and there is an obvious obligation to maintain this standard for all the seven Dispersal prisons as a direct consequence of the 'Category A' mentality and the limited number of dispersal prisons. The alternative has always been to concentrate the worst prisoners, worst at least in terms of being control problems or potential embarrassments, the perpetual either-or forced choice equation. Perhaps it is time for a change. Perhaps there are preferable alternatives to these traditions of parallelling the allocation, career progression and release review procedure of lifers and maximum security prisoners which take greater account of the needs, rights and benefits of the inmates themselves.

What do the findings of this research, coupled with the relevant issues of human rights and the recommendations of the Criminal Justice Bill (1991) oblige us to consider?

CHAPTER 10

IMPLICATIONS AND RECOMMENDATIONS

- 10.1 Implications of Findings for Change
- 10.2 How long is a Life Sentence?
- 10.3 Progress, Review and Release
- 10.4 Do Prisoners have human rights?
- 10.5 The Criminal Justice Bill
- 10.6 Recommendations

CHAPTER 10

IMPLICATIONS AND RECOMMENDATIONS

AUTHOR'S PREFACE

It must be acknowledged that it is unusual to find a preface at the end of the work, or at least the beginning of the end. However, this one wasn't possible earlier. Fowles (1990) observed that 'Social scientists tend to write two different kinds of books and articles.' He described these as:

- 1) empirical investigations and
- 2) discursive studies which are concerned with 'what is wrong with the existing system.'

He argues that the second kind don't tend to get chosen because introducing ethical or moral evaluations in empirical research 'runs the risk that prison administrators who control access to research data will withhold permission to do research in the future.' While clearly I enjoyed the advantages of the insider researcher, the sword is obviously double-edged. In the course of empirical research, it became increasingly evident that ethical issues were not only unavoidable, but that they, in conscience, should not be avoided. I am aware that, in writing what I do next, I am vulnerable to, at least, official rebuke. The university researchers risk considerably less. I make no apologies that the final chapter is reformist. The British Criminal Justice System applies the rule of law up to and including the stage of conviction but, to quote Hawkins (1976), 'once the

individual has been sentenced he passes into the control of people who in the past have had a nearly total and largely unsupervised discretion in their treatment of prisoners.' He was referring to the American system, but there are many similarities.

10.1 IMPLICATIONS OF FINDINGS FOR CHANGE

It is worth reminding ourselves of the Revised Strategy policies for Lifers and the Home Office's Report on the Penal Response to Life Sentence Prisoners (Evidence to the House of Lords Subcommittee). Each of the most relevant Revised Strategy objectives will be discussed in turn.

- 1) Lifers should be treated as a separate group.

Taken as a whole, it is fair to say that lifers are treated differently. The principles of extensive and reasonably paced assessments at the beginning of the sentence and of the need to produce sentence plans are indisputably meritorious and, to the extent they are honoured in practice, commendable but there is now considerable evidence that not only are these applied inconsistently both between prisons and within prisons in terms of the thoroughness of lifers being assessed and the proportions with such plans. The evidence and opinion that lifers are being disadvantaged, even abused, in significant numbers as an indirect consequence of these policies is cause for even greater concern. The danger then is that the objective and its application were meretricious. There seems to be a fallacy in the argument that lifers must be selectively exposed to the rigours and realities of mainstream prisoners for their own good. If the reasons are mainly financial and logistical, surely it would be more honest to say so and add that there are no sufficiently persuasive

reasons for creating or building separate facilities for lifers for reasons of either general policy or specific circumstances.

One fact presumably not in dispute is that lifers are certainly treated as a separate group in the manner of their consideration for release, a procedure which was universally criticised in both this research and in the major references of the past 6 years.

In terms of their living conditions, although lifers do frequently receive preferential treatment in prisons in terms of better jobs, leniency in amenities and 'creature comforts' and a significantly reduced risk of having to share a cell, for example, they are conversely faced with the dilemma of having to forfeit amenities and resources as they progress through the prisons of reduced security, not something which troubles their fixed-sentence counterparts.

The weight of evidence recommends that lifers should indeed be treated as a separate group and that there should be a review of both the quality and consistency of the application of this principle. The nature of the differential treatment should bear directly on the risk of reoffending. At present, it doesn't.

- 2) Lifers should be given a sense of purpose and direction during the course of their detention.

In all candour, to read this objective to any lifer met during the course of 6 years of research would, at best, cause a wry smile; at worst, active hostility up to and including physical ejection! Lifers do not feel they have a sense of purpose and direction. Nearly two-thirds felt they had been detained for too long. Over three-quarters argued that prison had had no noticeable effect on them and all (N = 82) of the lifers who'd come almost

to the end of their sentences said they lacked any faith or confidence in the efficiency of the penal system and that they never felt able to place any great trust in staff. Does that sound like people imbued with a sense of purpose? Yes, that they are trapped in a kafkaesque circus of perverse hoop-jumping and indeterminate uncertainty, stress and retribution.

3) Lifers should each have a Career Plan.

Just before he leaves the Main Centre, each lifer should be informed of the general tenor of the plan.

A survey of the records of all the lifers (N = 42) in a Category B prison, all of whom had been through a Main Centre, showed that 23 (55%) did not have a Career Plan. Ten of them were asked personally if they had had their Career Plan summarised or mentioned to them, and none could recall having received such a briefing.

4) The penal system must be sufficiently flexible in the way that it deals with them (lifers) so as to recognise and take account of their individual, personal predicament.

It is difficult to respond to this objective as other than an aspiration. One of the aspects of their 'predicament' which causes the greatest pain is the length of their imprisonment. Lifers are serving longer than ever sentences, up from between 8 and 9 years in the mid to late 1970s to the point where, for 106 lifers in Wormwood Scrubs in 1990, the average TARIFF was 13 and a half years! It really is difficult to see how any amount of flexibility can compensate for the lifer whose first LRC date is in the next century, indicating he will serve well in excess of 15 years, and he has just 'celebrated' his fourth year inside. There is extensive evidence that the great majority of lifers and prison staff exercise tremendous

effort, sensitivity and forbearance in their relationships. There is, sadly, equal evidence that the demonstration of these qualities go no higher than the prison gate and that, however they feel about the issues, the higher the level of seniority in the lifers' chain of power, the less apparent the recognition.

The best specific indication of the flexibility of current policy came from the, then, Governor 1 in charge of the Lifer Management Unit, Prison Department Headquarters:

'...in every case as far as possible we follow the principle of progression through the sentence, i.e. from dispersal to Category B to Category C.'

and

'It is regarded as particularly important that virtually every lifer should move to release on licence via open prison and PRES.'

When asked about the allocation of lifers within dispersal prisons, he avowed that

'all I believe work on the principle of even distribution between wings and indeed do not distinguish between lifers and other long termers, except that lifers get more individual casework and are subject to special review procedures.'

Asked about the attractions of separate units for lifers, he explained that

'The Department's policy is firmly based on dispersal and assimilation into the normal prison regime and this is based

on experience over the years which leads us to believe that small units might lead to an artificial, elitist atmosphere which is perhaps not the best preparation for the rigours of life outside.'

Are small units such as Rule 43s and Special Units for Control Problems felt to be the best preparation for the rigours of life inside? What are the advantages inherent in a 'normal' prison regime which somehow prepares lifers for life outside where all the evidence, media attention, prisoners rights groups research into the effects of imprisonment, prisoners, their families, friends and legal representatives all decry prison conditions as poor, unacceptable, deplorable and 'schools for crime'. Where is the logical coherence in a system which creates extremely expensive R43, Vulnerable Prisoners Units and Special (Control) Units for the minorities of prisoners who are the WORST behaved or least adaptive while effectively punishing the good behaviour of the majority of lifers by deliberately refusing to treat them separately?

The Home Office researchers found that, in spite of policy statements that lifers follow a path through their sentences which means nothing to gradually less secure environments, most of their sentence are spent in the higher security (A to C) conditions, with only the final 12-18 months in conditions of minimum security. Over half (54%) of the lifers interviewed said they personally did not wish, or feel the need, to be helped in this way.

The staff of Kingston bemoaned the apparent lack of regard for their views concerning appropriate tariffs where the official times served were consistently longer than the staff who knew the lifers best had recommended. It was apparent that there was 'wide agreement amongst

report writers (staff) and also between them and the lifers who were interviewed.' The staff at Kingston argued strongly that lifers should be separated as

'such prisoners are in a unique situation as a result of the indeterminacy of their sentence; they have special needs which are not shared by fixed sentence prisoners. Mixing the two groups would undermine the work with lifers.'

Finally, if the argument is so cogent that lifers must progress through carefully controlled stages of gradually reduced security, why don't female lifers? It seems from this line of evidence and opinion that, on balance, the Prison Department is not 'sufficiently flexible' to 'recognise and take account of their individual, personal predicament.

10.2 HOW LONG IS A LIFE SENTENCE?

In 1979, the year the Conservative Party came to power, the average sentence length for lifers was 9 years, a term which had remained static with no contrary manifestation of public will since before the Abolition of the Death Penalty Act of 1965. In the 12 years since 1979, the average has climbed steadily to over 13 years, an increase of over 40%. It is also apparent that sentence lengths are likely to continue to rise. Data collected by the Psychology Unit at Wormwood Scrubs in 1990 and submitted to the Home Secretary indicated that the average TARIFF given to a sample of 106 lifers was 13.1 years, 13.6 for Murderers. With the addition of the risk factor of at least 3 years for the majority, lifers are apparently destined to serve, on average, over 15 years in the future.

Why is this? Are those sentenced to Life committing more terrible crimes and therefore deserving of harsher, longer imprisonment? Not according to a comparison of the male lifers of 1977 analysed in Home Office Research Unit Report No. 51, 1979 with the murderers of the 1989 Home Office submission to the House of Lords Subcommittee. Why then are lifers being imprisoned for longer and longer periods, contributing to the rise which has gone from 133 in 1957, to 962 in 1974 to over 2,900 in 1990, an increase of almost 22-fold?

Perhaps the single most significant factor to appreciate in this rise is the power of the Home Secretary and ministers to increase the tariff which the trial judge had recommended. The Home Office figures to the Select Committee confirm that, of 106 cases considered between April and September 1988, the Home Secretary set a tariff higher than the trial judge in 63 cases (60%). The official explanation proffered was that 'this reflects the policy of ministers and the judiciary on the question of sentencing for violent crimes; and it is an important element in the maintenance of public confidence in the life sentence system.' This explanation, from the Grade 5 Private Secretary to the Secretary of State to the Governor of Wormwood Scrubs, would appear to overlook the apparent contradiction wherein the ministers felt able to disagree with the judiciary in the majority of cases.

Is it possible to argue, or assume, that these decisions, in maintaining 'public confidence', are shaped therefore by political pressures more than judicial judgement? Is it mischievous speculation to presume that increasing the punishment for lifers may actually be an attractive compensatory measure to frustrated efforts to return Capital Punishment? Is it fair to believe that the Home Secretary's decision in 1983 to make longer sentences statutory for many violent crimes (a

decision apparently unfettered by the process of judicial or parliamentary debate) has placed, and may be continuing to place, particular pressures on civil servants responsible for advising the Parole Board and ministers on life sentence prisoner release?

Lord Campbell of Alloway, in the record of the House of Lords Committee, said that

'There is a problem...that we have had over and over again where the Home Secretary in England bumps up the sentence, over half the sentences, in fact the convicted person served longer than was intended because the Home Secretary bumped it up. What do we do about this? It is contrary to the European Convention of Human Rights, it is not a judicial act.'

The Prison Reform Trust submitted that

'Similarly, the procedures governing the length of time life sentence prisoners serve are unsatisfactory. The degree to which politicians can over-ride the judicial view, and the lack of clear and openly stated criteria are an affront to the canons of natural justice. It is astonishing that a junior Minister should, in effect, be making the sentencing policy.'

Independent corroboration is available by referring back to the Report on the Penal Responses. The researchers argued that in some cases the tariffs could, and should, be lowered, referring to staffs' view that the tariff has become the dominant factor, 'the prisoner will be detained beyond the most suitable time for his release' (a concern which could be made equally of the 'RISK' element). They also reported the fear that, where the lifers

were being detained a certain time, their chances of successful resettlement were not as good as they might have been. Thus clearly the staff who have worked most closely with the lifers consistently see an optimum time for release which is concerned most with the risk element as represented by the man's preparations for freedom rather than Officialdom's apparently pre-emptive assumption as to the necessary retribution and punishment regardless of the chances of successful resettlement. Even when this is satisfied, the lifer faces another phase of imprisonment which is equivalent to a 4½ year fixed sentence and is even less definite in duration than the tariff element currently standing at over 13 years. They conclude:

'It is surely time to seriously examine the benefits to be derived from adopting a more flexible policy which emphasises the risk factor rather than the tariff. The psychological barrier created by rigid adherence to the tariff must be removed if progress is to be achieved in enabling lifers to approach their sentence more constructively and to acquire the sense of purpose and direction envisaged in the Revised Strategy.'

10.3 PROGRESS, REVIEW AND RELEASE

Release is governed by two factors: 'the period required for punishment' and 'an assessment of the risk to the community'. The Circular Instruction which gives authority to this policy (CI 2 of 1989) states that 'The judiciary advise on how long the punishment period should be' and we have already seen how often their advice is accepted. The second, risk element, is determined by 'continuous assessment by a wide range of staff in

different prisons who observe the life prisoner in different situations.' We have also seen, in the commentary from the prison Governors and the staff of Kingston, that this advice is also apparently very selectively received. Equally, Table 10.1 shows how often the Home Secretary is accepting the recommendations of the Parole Board. It will be seen from this that, again since the Conservative Party came to power, there has been a steady increase in the proportion of Parole Board recommendations rejected, from an average of under 5% between 1980 and 1982 to a record high of 25% in 1990 (in fact an under-representation as a further 30 cases were still under consideration by the Home Secretary at the end of 1990).

Table 10.1 Life Sentence Prisoners Recommended for Release by the Parole Board, 1980-1990

Year of Recommendation	Recommended	Not Accepted	%
1980	102	6	5.88
1981	147	4	2.72
1982	144	5	3.47
1983	121	16	13.22
1984	112	10	8.93
1985	94	16	17.02
1986	120	14	10.67
1987	147	23	15.65
1988	91	13	14.29
1989	119	15	12.60
1990	138	35*	25.36*

Source: Written Reply No. 118, House of Commons, 22.5.91

Figures are not available on the percentage of cases where the prison staff and Local Review Committee recommendations are overturned or rejected. Equally, we are not aware of the arguments put to the Parole Board by the representatives of DOC-2, the headquarters personnel who attend the Parole Boards and submit opinion in secret. These procedures are secret. They are restricted not only from the lifers which of course

might well be entirely appropriate in some cases, but also from the staff who work in the prisons and submit the reports, including the Governors who are given primary responsibility to 'co-ordinate all life sentence work in the establishment, advises and guides staff and liaises with headquarters.' Headquarters however, are not obliged to liaise with him. The official explanation given for the secrecy over these submissions, for both reports to the Parole Board and the reasons for the Home Secretary's decisions, are that they have to be 'entirely unfettered when they take decision on individual cases.' (Correspondence with the Director of Custody over a specific lifer case.)

It is difficult to discern how, at the beginning of the Criminal Justice System, the Courts are not constrained in reaching decisions, in open court, having heard the evidence and arguments both for and against, and then determining a man's custody or freedom, but at the other end, the same principles do not apply.

To the evidence that the decisions governing both tariff-setting and release appear to be politically vested, is the final observation that, comparing tariffs set for February 1988 to January 1990 with February 1990 to January 1991 (i.e. consequent to a change of Home Secretary and Minister of State), the average (Mean) has dropped from 13.6 to 12.2, and the Mode from 15 to 12.

Finally, the question could be asked: 'Why is it that, with only 0.7% (33 of 4,555) of convicted homicides have a similar conviction between 1976 and 1987 (Home Office Criminal Statistics, 1986), the Prison Department policies place paramount importance throughout prison on graduated release and testing prisoners ability to cope with imprisonment? Is it not possible, even probable, that the greatest

pressures placed on lifers is because of those policies rather than to their credit? Giving lifers a series of hoops through which to jump, i.e. a series of prisons of gradually reduced security surely only indicates how well they cope with different prisons not how well they can cope with a job, marriage or a relationship. What evidence is there that lifers have significantly greater difficulty in coping with freedom than fixed sentence prisoners who are released every day regardless of their risk to society and who re-offend - rape, armed robbery, manslaughter, GBH and child abuse - at rates varying between 42% and 80% (page 127, Table 9(A), Home Office Prison Statistics, England and Wales, 1989)?

Lord Campbell of Alloway, questioning an Under-Secretary of State on the opinion that lifer release is 'probably a political judgement in the last resort.' asked :

'But is it really such a political decision and if it were would that not be almost disastrous? ... Is that not rather a shattering thought that there should be a political element in this at all?'

Dr Roger Sapsford, the Open University, giving evidence:

'The conclusion must be that although lifers may have been sent to prison justly, how they are treated inside and the procedures used to determine their release are not just. Justice implies the application of rules known to both sides, for reasons which are available to both sides, on the basis of evidence which is available to both sides and can be contested. This is not how day-to-day decisions are taken in prison, and it is not how our highest authorities treat

prisoners when their possible release on licence comes up for consideration...'

The Times, 3 July 1991:

'Under the law as it stands, mercy killers have to receive the same sentences as IRA bombers - life. Judges have no discretion in sentencing for murder ... Under the present law, the term "mandatory life sentence" is a misnomer. It is an unquantified sentence rather than a lifelong one, the quantity being determined by politicians, usually of later generations, for reasons which are not open and judicial. The proper people to decide such questions are judges, whose decisions can be openly challenged on appeal if they are wrong. Thus the issue between the Lords and the Commons is a constitutional one: the role of politicians versus the role of judges.'

10.4 DO PRISONERS HAVE HUMAN RIGHTS?

In Britain, it may be argued that no-one has human rights, given that there is no written Constitution. Legal rights are presumably applied according to citizenship hence, unless the individual is a citizen of the country in question, he presumably has no statutory rights which he may have defended in court. Unless a Constitution, such as in the U.S.A. and France, state specific human rights, they are not relevant or defensible in a court. Indeed, even if certain rights are alleged to be inalienable, they are still not necessary inviolate, or absolute and may therefore, in the case of prisoners, be lost. Prisoners therefore may lose both human and legal rights in the absolutist sense that we forfeit these rights when we violate

the laws of the society of which we are a part. It may equally be argued that we potential prisoners only have such rights as may be defined in law. The Hobbesian quality of this perspective moves us closer to the view that, to press or pressure for greater rights or wider interpretations/leniency risks threatening the wider political rights and responsibilities of the State i.e. the right to govern is pre-eminent. This rather right-wing perspective would allow the State, and its instrument the Prison Department, the right to withdraw the individual's rights as a kind of forfeit in consequence of his/her criminal behaviour. More a suspension than a permanent loss, this would surely mean that, with an indeterminate sentence the prisoner's rights are, at best, ambiguous and, at worst, entirely in the remit of the enforcers of the prison's policies. It would also follow that his rights would only be restored when he has been proven trustworthy to the satisfaction of the keepers and the politicians for, as we already know, the judiciary have little more than a veto power in a lifer's ultimate release. Among the rights - or privileges, as we may be forced to call them - the individual unquestionably is deprived of when he is imprisoned are

- 1) freedom of choice, e.g. goods and services,
- 2) the deprivation of heterosexual relationships, especially sexual,
- 3) freedom of movement,
- 4) security (in the sense that he is at greater risk within the company he keeps and the lack of choice or avoidance possible) and
- 5) voting i.e. he is disenfranchised.

Much of this was considered as far back as 1958 (e.g. in Sykes' *The Society of Captives*), but remains at least as relevant today. Indeed, the related

issues of prisoners forming together to protest against perceived injustices might, arguably, be simply the most extreme manifestations of prisoners' 'rights' being used to attack the prison, or system as a whole. The Strangeways riot of 1990 is the most recent example of this interpretation.

What sort of regime produces such a reaction? Clearly, the Woolf and Tumin Report describes one which is authoritarian rather than liberal, with many of the prisoners seen by staff as incorrigible trouble-makers. Fowles (1985), referring to the work of McCleery almost three decades ago in 'Authoritarianism and the Belief System of Incurrigibles' (1961), concluded that prisoners held in an authoritarian prison regime were

'held in a steel-walled cell, his life was regimented and depersonalised, the environment was deprived physically, and prisoners' requests for medical attention often failed to bring a response. The amount of time a man spent in these conditions was indefinite, and the decision to release was made by people far-removed from the prisoner and the unit and based upon criteria unknown to the prisoner.'

This is an admittedly extreme but far too familiar description of precisely those conditions which many lifers find themselves in today. Such an allegation will, of course, precipitate angry and vociferous rebuttals from the Official side and there are many positive examples of prison programmes, regimes and proposals to aid this attempted refutation. Ultimately, however, the facts resist denial. The majority of long-term prisoners are contained in old, Victorian prisons without in-cell sanitation. HM Chief Inspector of Prisons reports' consistently record the unacceptable conditions in which they are obliged to live and the

indeterminacy and secrecy of the sentence and release respectively are also matters of record.

Presumably prison rules and rule-enforcers should be setting an example to prisoners. Fowles (*op. cit.*, 1985) recorded that, in addition to judicial intervention in prison life needing to reduce the amount of human suffering caused by poor conditions,

'There is a second and perhaps more important reason why prison administrators should obey the constitution and protect prisoners' rights: those who have been convicted of breaking the law are most in need of having respect for the law demonstrated to them.'

It is perhaps a simple additional step to advocate that, in order for prisoners to have any real rights, they must not only have due process demonstrated to them but they must actually be party to those processes themselves i.e. they must become re-enfranchised, re-empowered. If we accept that the deprivations of imprisonment are inevitable consequences of living in such secure and complex institutions as prisons, then offenders' rights have no place in the equation and they have no say apparent to the improvement of those conditions. If we do not allow the prisoner's voice to be heard in determining the minimum conditions in which he may be asked to live, then we are not blameless for his reactions to those conditions imposed upon him. Yet advocating greater rights through greater involvement for prisoners in the actual processes of prison administration and decision-making is heresy to some insiders. There is a strong school of thought which holds that power in prison is a finite quantity and that to increase the rights of prisoners is to increase their power, thereby reducing the power of staff and making them more

vulnerable. To empower inmates would actually mean things like letting them vote for which prisoner works in which job, to making some inmates responsible over others and to giving inmates places on decision-making Committees and meetings in the prison. While these measures, and many more implicit in the concept, would clearly open the way to a clearer sense of prisoners' rights, antagonists would surely argue that they are but the thin end of the wedge leading towards anarchy. Yet, incredibly, these are old-fashioned practices, first introduced into one prison as long ago as 1962. That prison, HMP Grendon Underwood, sees the wing community, composed of all inmates and staff together, as the central arbiter of rights and regulations within their closed world. It is somewhat ironic that the model for greater prisoners' rights should have come from a Psychiatric prison. If these principles can be applied so successfully in one of the, presumably, most disturbed populations, why have they not been applied elsewhere?

Like the Special Unit at Barlinnie and the Annex of Wormwood Scrubs, Grendon fundamentally enfranchises inmates to the extent that there is a waiting list of almost 300 inmates waiting to transfer there (even though most of them are in positions to transfer to more materially attractive regimes in lower security prisons), that Grendon has consistently been in the lowest three prisons for Governors Reports for ALL prisons in the UK since it opened in 1962, and the fact that Grendon 'graduates' i.e. men who have either been released or transferred, actually voluntary return to their old wings to visit. What other prison could make such claims? IF the Prison Service wish to identify a model for enlightened and genuinely humane containment for the overwhelming majority of prisoners rather than a minority erroneously classified as 'psychiatric', then they need look no farther.

There is a movement towards introducing a code of minimum standards in Britain's prisons, supported by the Chief Inspector of Prisons, the European Court of Human Rights, the unions of prison Governors and the prison officers and, more certainly, by prisoners themselves. Apart from the Government, then, it would seem to be an idea with wide support. Setting official minimum standards would not, however, automatically ensure that they were honoured, any more than having Boards of Visitors ensures inmates' justice.

Given that Britain already accepts the European Standard Minimum Rules for the Treatment of Prisoners, the rub would seem to be that these standards are not necessarily enforceable if they are seen to be violated. It might follow therefore that there are three essential elements to any categorical initiative to improve prisoners' rights: firstly, that some specific minimum standards be set; secondly that there are consequences, or penalties, should these standards be broken and finally that there is some external, independent body to enforce them. The existing Board of Visitors fall far short on all three counts at both a local and national level.

10.5 THE CRIMINAL JUSTICE BILL, 1991

The related issues of lifer progress, review and release must be taken in the wider context of the Criminal Justice Bill of 1991, which received the Royal Assent on 15 July 1991. the justification for expanding the terms of this research beyond lifers and stable regimes is that just as lifers do not live in vacuums within prisons, so prisoners do not live in institutions immune from the wider political pressures which are inevitably sensitive to perceptions of the 'public will'. Whatever the circumstances of their

imprisonment, the nature and longevity of the experience is inexorable to interpretations of this will and, hence to policies which determine them.

The 1990s began for British prisons with words and images suggestive of penal apocalypse. 'An explosion of evil' in Strangeways, according to its Governor, inevitably brought with it riots and waves of retribution. The Woolf Report suggested more temporal (and less management exonerative) roots for the disturbances. Louis Blom-Cooper, QC, whilst welcoming the Woolf proposals for prison reform, rectified a significant omission in their historical perspective by emphasising the part played by the Advisory Council on the Penal System's recommendation of 1968, against the Mountbatten Report recommendations for concentration, to disperse the highest risk prisoners into designated maximum security prisons. These Dispersal prisons inevitably came to house the overwhelming majority of Life Sentence prisoners, as their crimes often determined their placement far more than any informed assessment of their risk of escape or criminal dangerousness to the public. The 'logic' seemed to some to be more to do with administrative expedience - the concentration of assessment facilities, the logistics of centralised control over sentence progression and, perhaps cynically, the perception that lifers were a stabilising influence - than with any coherent philosophy for either lifers in particular or penal policy in general.

In the event, the Strangeway riot and the subsequent disturbances in 25 other establishments triggered the Woolf Report which, in turn, led directly to the Criminal Justice bill and, finally the Governments response to the Bill, the White Paper: Custody, Care and Justice: the Way Ahead for the Prison Service in England, Wales (HMSO, 1991). In this, the Prison Department expressed its 'duty as part of the criminal justice system to

ensure that prisoners are treated with justice, humanity, dignity and respect.' In the ten chapters and 108 pages of the Report, there are seven lines specifically relevant to Life Sentence Prisoners:

'introduce and improve sentence plans for all life sentence prisoners. The Government is considering introducing a more structured plan centred on offending behaviour and setting programme objectives which will determine progress towards release.'

The authority to make substantive recommendations rests entirely with the credibility of the research, the extent to which the conclusions are attributable to the findings, the lucidity of the arguments which are developed from the conclusions and the coherence between all these and the recommendations themselves.

These particular recommendations should also follow from a number of principles:

- Life imprisonment is a recognised form of imprisonment which carries, by its nature, unique responsibilities and pressures.
- Although there are many similarities between lifers and non-lifers, i.e. they are over-lapping populations, there are an even greater number of differences.
- A substantial element of prison stability is attributable to lifers, influenced both by their numbers and their composition in terms of age, personality and criminality. While this principle is obviously true for non-lifers as well, there are extra dimensions with lifers.

- The differences in the positive influence which lifers exert upon the regimes of their prisons is attributable to all three factors: numbers, composition and indeterminacy.
- The operational implications of perpetuating policies which oblige lifers to reside in Dispersal prisons, and of depending upon them to exercise a stabilising influence, has an unavoidable ethical cost.
- All of these principles are linked with those to do with the length of sentence served, the procedures whereby those sentence lengths are determined and the secrecy and autonomy of the Prison Department in reviewing and releasing.

There would seem to be two fundamental questions involved in the issues of lifer imprisonment, sentence lengths and regime stability. One question is of logic: If the majority of life sentence prisoners are both relatively more stable and stabilising yet are being obliged to serve both longer tariffs and risk elements to their sentence, what is the defensible explanation?

The simple explanation appears to be that, in the absence of adequate clinical or empirical evidence to satisfactorily reduce the 'False Positive' and 'False Negative' numbers of lifer i.e. those who are seen as a risk of future serious offending, but aren't and those who aren't seen as such a risk, but are, then err on the side of caution. The second question is one of justice: If a governmental policy relies on unsubstantiated interpretation of the 'public will' and views the lack of outcry from the governed as justification for their policies, risk a fundamental imbalance in the competing rights of both the individual we met and the State? Equally, doesn't an Executive which consistently over-turns the considered judgements of the national Judiciary also risks offending the Society's

requirements of justice, equity and probity with regard to individual rights?

10.6 RECOMMENDATIONS

SENTENCING

Recommendation 1 - The tariff element of a life sentence should be set in open court and fixed by the judiciary. The Home Office minister should have no part in the tariff setting.

Recommendation 2 - The Life Sentence prisoner should have a legal right to be informed of the tariff and of appeal.

ALLOCATION

Recommendation 3 - Life Sentence prisoners should be allocated to a wider range of establishments for their Main Centre assessment than presently exists. Specifically, a Lifer Assessment Centre should be established in Dispersals, a Category B and a Category C prison.

Recommendation 4 - The Lifer Assessment Centres should be separate from the rest of the prison.

Recommendation 5 - Assessment should be based primarily on a) prior criminality, b) analysis of the current offence in terms of provocation, severity, premeditation and the personality of the offender. This assessment should direct, within the constraints of the risk of escape, the allocation.

Recommendation 6 - Allocation should be completed within 6 months of arrival at the Main Centre, which should not be the automatically presumed first placement.

Recommendation 7 - Greater use should be made of direct allocations from the Lifer Assessment Centres, to Category C and D establishments. The rates of allocation should be monitored nationally e.g. by DOC-2.

Recommendation 8 - There should be a national information sheet circulated to all prisons with lifers giving offence, allocation and progression information.

SENTENCE PLANNING AND PROGRESSION

Recommendation 9 - There should be at least one establishment in each Security band which is lifers-only, or predominantly lifers. The logic which justifies lifer wings or lifer prisons e.g. Aylesbury, Wormwood Scrubs and Kingston is equally relevant throughout the sentence.

Recommendation 10 - Lifers should be involved in his/her own Sentence Plan drafting, including the opportunity to state preferences as to being allocated to a mixed or separate prison at the different stages of his sentence.

Recommendation 11 - It should be fixed, enforced national policy that the lifer has the right to attend all boards convened to assess his progress and make recommendations. Current practice is left too often to the discretion of individual prisons. He/she should also have the right to submit written opinion or evidence relevant to the terms of the assessment.

Recommendation 12 - Lifers should only be subject to permanent transfers on the basis of recorded Sentence Plan objectives or targets oriented towards his/her eventual release. Temporary transfers due to disciplinary decisions should not influence or delay this process as it would constitute double jeopardy.

Recommendation 13 - The lifer should have right of access to reports written on him. Disclosure should be limited to exclusions on the grounds either that he is mentally incapable of comprehending the contents i.e. psychotic, sufficiently unstable/unpredictable to constitute an increased risk through total disclosure or where the Governor determines that disclosure would seriously undermine the 'good order and discipline' of the prison. The presumption should be to disclose or, preferably, provide with personal copies.

Recommendation 14 - Career, or Sentence, Plans should be more detailed, take greater cognizance of the reports from prison staff and indicate both stages of progression and approximate time intervals for each stage. There should be a binding obligation that every lifer has an at least provisional Plan before leaving the Main or Lifer Assessment Centre.

Recommendation 15 - Career, or Sentence, Plans should have a section for the lifer's own plans or perspective.

Recommendation 16 - There should be binding maximum time periods permitted between the submission of F75 and LRC reports from prisons and the lifer being informed of the decision. A period of 3 months is suggested as consistent with the requirements of fairness and efficiency. The interval between reports and transfer should exceed 6 months only in exceptional circumstances.

Recommendation 17 - The transfer of lifers between prisons should be based on a computerised grid of availability, relevant resources e.g. vocational training, geographic relevance to domestic circumstances and the expressed preferences of the lifers, prison staff and the Sentence Plan.

Recommendation 18 - Prisons designated for to hold lifers should have a specified list of minimum facilities e.g. cellular accommodation and lifer classes.

Recommendation 19 - If re-classified while still in a prison of the higher categorisation, a lifer should have access to such privileges of the lower category as do not violate the security of the prison.

Recommendation 20 - For the purposes of eligibility for prison-based positions and privileges, a lifer's LRC should be treated as his EDR. That is, he should not be discriminated against due to any speculative reference to 'risk' or probable release.

Recommendation 21 - Lifers should access to legal advice concerning any assumed or presumed prejudice against his career progression due to the needs of the prison e.g. transfer delayed due to his contributions to the workforce or investigations where he may be a witness.

Recommendation 22 - The significant, positive contributions lifers make to the life of the prison should be formally acknowledged by providing opportunities for greater representation in committees and working parties e.g. Grendon's Power-Sharing Conference, Interwing Committee and Suicide Prevention Management Group.

RELEASE

Recommendation 23 - Prison Governors should be given greater power and discretion in releasing lifers in Category B and C prisons to Day Release under supervision where they have been recommended for re-categorisation or are awaiting transfer.

Recommendation 24 - Lifers should have the right to see all relevant documents in their own Local Review Committee assessments, to appear and to be legally represented.

Recommendation 25 - As recommended by the House of Lords Select Committee, the decision on release at the end of the penal sanction should be taken by an independent judicial tribunal, rather than the Home Secretary.

Recommendation 26 - The grounds upon which the Home Office Minister makes the decision whether to release or not should be available to all staff who contributed to the decision and to the lifer.

Recommendation 27 - Determination of risk which pertains to the 'underlying problems that led to the offences' and the relevance of future risk assessment, should be the primary responsibility of the staff and qualified professionals in the establishments holding the relevant lifer rather than with the centrally-based officials.

Recommendation 28 - The Prison Department should commission research to determine the efficacy of the existing procedures for preparing life sentence prisoners for freedom.

Recommendation 29 - The Prison Department should authorise the creation of Lifers representative bodies to formally express the views of this, the largest and fastest growing group of long-term prisoners.

Recommendation 30 - If there is no evidence that lifers are re-offending at lower rates than before 1979, then a cost-benefit analysis should be commissioned into the additional expense of several years additional imprisonment with no discernible gain.

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APPENDICES

APPENDIX A

Please help with this voluntary questionnaire

RESEARCH QUESTIONNAIRE

Introduction

I am doing some research comparing Lifers and non-Lifers at several prisons and YOIs, including _____. I am particularly interested in your views on society, your lifestyle before you came inside, your letters and visits and how you feel about prison. What you say will be completely confidential, we won't identify you by name and the results will be looked at in terms of everyone here rather than you as an individual. NOTHING you say will be revealed to anyone else, and this exercise has nothing at all to do with your sentence or progress here.

A. ATTITUDES TO CRIME

1. How old were you when you first did anything illegal?

What was it?

Did you get caught? YES/NO

2. Why do you think you started committing crimes?

- a. Boredom
- b. Need for excitement
- c. 'My mates convinced me'
- d. Status among friends

- e. Needed money
- f. Drink/drugs
- g. Result of argument/quarrel
- h. Anger/resentment (explain)
- i. 'It just happened'
- j. Other (specify)

3. Do you think of yourself as a criminal? YES/NO

Why/why not?

If not, how do you think of yourself?

Unlucky/foolish/too easily influenced/other (specify)

4. Which of the following do you think would regard you as a criminal

- your family? Friends? The Police?

Does this bother you?

5. Did you plead guilty to your current offence?

Comments.

6. Do you feel regret about what you have done?

If so, can you tell me why?

B. FAMILY

7. Would you tell me something about your family and childhood?

For example, were you a happy family: were there many children; was there much arguing or violence?

8. Are your parents still together? YES/NO
9. Whose opinion outside matters most to you?
10. How do you think they feel about your offending? About your being in here?
11. Are you the first in your family to commit crime? If not, who else?
12. Are your memories of your childhood mostly happy ones?
YES/NO

C. FRIENDS

13. How many of your friends outside have committed crimes?
14. a. Were you interested in any of these groups outside:

Punk/Skinhead/Hells Angels/NF/Rastifarians/Black Power.

Other (please specify)
- b. If so, what was it that attracted you to them?
15. Have you often done things in the company of other people that you privately felt was wrong? YES/NO

D. INSTITUTIONS

16. Did you enjoy school? YES/NO

Were you ever kicked out of school for bad behaviour? YES/NO

Did you truant? YES/NO

If so, was this occasional or frequent?

17. Were you ever put into Care? YES/NO

If yes, were you taken from home? Why? YES/NO

E. CORRESPONDENCE/VISITS

18. Do you receive letters/visits from:

- a. your parents/family?
- b. your friends?

19. Who are your most frequent visitors?

20. How important to you are the letters you receive from your outside contacts?

- a. Unimportant
- b. Fairly important
- c. Very important
- d. Essential

21. How important to you are visits? a. b. c. d.

22. What purpose do you feel your visits serve for you?

23. If you could, would you have more/fewer letters/visits?

24. On your visits, what kind of things do you most often discuss?

- a. Your life inside
- b. Your visitors' lives
- c. The outside world generally
- d. future plans
- e. Other (please specify)

25. Do you correspond with people in other prisons? YES/NO

If yes, are these people you have met since being inside or did you know them outside?

F. ALIENATION

Alienation from society means that you feel distanced from people and the lives they lead, because you disapprove or because they seem to disapprove of you.

26. Would you say that you feel alienated from society? YES/NO

If yes, do you feel that you have rejected other people or that they have rejected you?

27. How do you feel about society's rules and regulations?

28. Do you think this had anything to do with your offending?

G. ATTITUDES TO PRISON

29. When you first arrived at _____, what was your attitude to prison? For example, did you feel hatred, or did you try to co-operate as much as possible?

30. Have your feelings changed in the time you've been here?
31. Do you think of yourself as:
- a. helpful? YES __ NO __
 - b. criminal? YES __ NO __
 - c. easy-going? YES __ NO __
 - d. aggressive? YES __ NO __
 - e. popular? YES __ NO __
32. Since you've been at _____, do you think you've made a good impression on the staff?
33. Whose opinions are more important to you, the staff or the other inmates? Why?
34. Has being at _____ helped you? In what ways?
35. Has being at _____ made you worse? In what ways?
36. Of all the people you've met here, which ones have had the greatest influence on you?
37. Do you think you are more or less likely to commit another crime when you leave prison? YES/NO
38. Do you think you have helped other prisoners to stay out of trouble here? If yes, how?
39. Do you think the Lifers should be kept separate from the others?
- Why?
40. Have your best friends tended to be Lifers _____ or Fixed Sentence _____?

THANK YOU VERY MUCH FOR HELPING WITH THIS RESEARCH

Eric Cullen,
Principal Psychologist

DATE

APPENDIX B

CAREER PLANS - Example 1

Note: All dates are fictitious

CAREER PLAN FOR _____

(This plan should be filed with the Home Office Summary)

I refer to the F75 and lifer review reports prepared at _____ in September 1982 and March 1983. _____ is in the 3rd year of a sentence of detention during Her Majesty's Pleasure (first remand November 1981) for the premeditated murder, together with _____ of an elderly man who they beat to death and then robbed.

The case was referred to Judicial and Ministerial comments in June 1985 and an LRC has been fixed for the 12 year stage (1993).

_____ is therefore unlikely to serve less than 15 years.

_____ has served in the young offender system at _____ since May 1984 following spells at _____ and _____ on remand and immediately after sentence. He is now _____ years of age and is likely to remain at _____ for a further year. His family home is in Bradford. _____ may be an appropriate first adult allocation with consideration for a further move prior to the LRC.

Areas of concern:

1. He is only beginning to show remorse for the crime and to express feelings about it. He should be encouraged to examine these feelings critically.
2. There is a need for further emotional development to enable him to take his sentence more seriously and to promote self-confidence.

APPENDIX C1

From: Eric Cullen
Head of Psychology
HMP Grendon
Grendon Underwood
AYLESBURY
Bucks HP18 0TL

To :

LOCAL POLICY AND PROCEDURES FOR LIFE SENTENCE PRISONERS

Dear Governor,

I am currently pursuing a Home Office sponsored PhD research degree. My subject is Life Sentence Prisoners and Prison Regime Stability and I am particularly interested in how lifers are viewed by Governors responsible for them (as well, I should add, as how they view their own imprisonment). Could I presume upon your time to the extent of asking you to consider and complete the attached brief questionnaire? I should explain that I'm sending this to the Governors of every establishment in the country with Lifers and that it forms one part of a much larger research project which is nearing completion after five years work. You can appreciate therefore the magnitude of my dependency upon you to, if you will, complete and return this questionnaire if you would like to either ring me at Grendon or so indicate in the box provided.

One brief disclaimer which might be worth mentioning is that this research has nothing to do with Grendon Underwood specifically or the therapy of inmates generally.

My thanks in anticipation.



Eric Cullen

☐ Elaboration requested

APPENDIX C2

Q1 What is your personal policy, or philosophy, for your Lifers?

Q2 To what extent do you use, and value, the official policies, e.g. CI 2/89?

USE: Regularly	_____	VALUE: Highly	_____
Occasionally	_____	Reasonably	_____
Seldom	_____	Marginal	_____
Rarely if ever	_____	Little or none	_____

Comments:

Q3 Do you believe Lifers and non-Lifers should mix or be separated?

Opinions/Reasons:

Q4 Do you believe Lifers are different, e.g. less criminal, more stable, compared to non-lifers?

Comments:

Q5 Are Lifers a stabilising influence on non-lifers?

If yes, in what way?

Q6 If you could, what policies/procedures concerning the imprisonment and treatment of Lifers would you change or introduce?

Q7 Do you believe in capital punishment?

Q8 What do you understand or estimate to be the average term of imprisonment Lifers are liable to serve now?

Do you believe this is, broadly

_____ Too short.

_____ About right.

_____ Too long.

Comments:

Q9 Do you have personal experience of Lifers exercising a stabilising influence on prison regimes?

Details:

Q10 In their Report, the Control Review Committee recommended that 'prisoners serving long sentences should be given the opportunity of spending a substantial part of their sentence in prisons that offer a relatively open regime'. In your opinion, does this happen?

Q11 Any other comments on the issues of Life Sentence policy as it affects prison regimes?

Thank you, please seal in envelope and post.

APPENDIX D

ANALYSIS OF POPULATION BY CIRCUMSTANCE AS AT 31.12.90

Circumstances	Murder	Man- slaughter	Infanti- cide	Attempted Murder	Wounding	Sexual Offence	Aggravated Burg-Rob	Arson	Other Offences	Total
Family Stress	70	4	0	0	0	0	0	0	0	74
Rage or Quarrel	813	53	0	0	0	0	0	0	0	866
Jealousy	318	22	0	0	0	0	0	0	0	340
Baby Battering	56	4	0	0	0	0	0	0	0	60
Sexual - Pathological	258	32	0	0	0	0	0	0	0	290
During Theft	553	25	0	0	0	0	0	0	0	578
For Other Gain	57	3	0	0	0	0	0	0	0	60
Faction Fight or Feud	25	1	0	0	0	0	0	0	0	26
Ritual Killing	8	0	0	0	0	0	0	0	0	8
Family Feud	10	0	0	0	0	0	0	0	0	10
Contract Conspiracy	38	0	0	0	0	0	0	0	0	38
Resisting Arrest 1	14	0	0	0	0	0	0	0	0	14
Resisting Arrest 2	1	0	0	0	0	0	0	0	0	1
Resisting Arrest 3	0	0	0	0	0	0	0	0	0	0
Resisting Arrest 4	0	0	0	0	0	0	0	0	0	0
On Duty Policeman	5	0	0	0	0	0	0	0	0	5
Civilian Arrest	1	0	0	0	0	0	0	0	0	1
Mercy Killing	4	0	0	0	0	0	0	0	0	4
Prostitute	4	0	0	0	0	0	0	0	0	4
Informant	27	4	0	0	0	0	0	0	0	31
During Escaped	2	0	0	0	0	0	0	0	0	2
Witness	19	0	0	0	0	0	0	0	0	19
During an affray	3	0	0	0	0	0	0	0	0	3
Arson	15	6	0	0	0	0	0	0	0	21
Long Term Neglect	3	1	0	0	0	0	0	0	0	4
Ill Treatment	3	0	0	0	0	0	0	0	0	3
Punishment of Child	6	0	0	0	0	0	0	0	0	6
Reckless Act - Motor	3	0	0	0	0	0	0	0	0	3
Reckless Act - Drugs	1	0	0	0	0	0	0	0	0	1
Reckless Act - Other	10	0	0	0	0	0	0	0	0	10
Child Destruction	3	0	0	0	0	0	0	0	0	3
To Procure Abortion	0	0	0	0	0	0	0	0	0	0
PMT	0	0	0	0	0	0	0	0	0	0
Self Preservation	5	0	0	0	0	0	0	0	0	5
Provocation	67	5	0	0	0	0	0	0	0	72
Terrorist - IRA, NI	16	0	0	0	0	0	0	0	0	16
Terrorist - Other	2	0	0	0	0	0	0	0	0	2
Political	9	1	0	0	0	0	0	0	0	10
FB Hooliganism	0	0	0	0	0	0	0	0	0	0
Other	36	3	0	0	0	0	0	0	0	39
Motiveless	29	0	0	0	0	0	0	0	0	29
Not Known	180	50	0	0	0	0	0	0	0	230
TOTAL	2685	215	0	0	0	0	0	0	0	2900

APPENDIX E

ANALYSIS OF POPULATION BY METHOD AS AT 31.12.90

Method	Murder	Man- slaughter	Infanti- cide	Attempted Murder	Wounding	Sexual Offence	Aggravated Burg-Rob	Arson	Other Offences	Total
Sharp Instrument	1027	71	0	0	0	0	0	0	0	1098
Blunt Instrument	418	47	0	0	0	0	0	0	0	465
Kick or Kill	317	18	0	0	0	0	0	0	0	335
Strangulation	481	46	0	0	0	0	0	0	0	527
Exhaust Fumes	7	2	0	0	0	0	0	0	0	9
Other Poisoning	9	1	0	0	0	0	0	0	0	10
Shooting	239	6	0	0	0	0	0	0	0	245
Exposure-Newborn	0	0	0	0	0	0	0	0	0	0
Negligence	3	0	0	0	0	0	0	0	0	3
Aborting	0	0	0	0	0	0	0	0	0	0
Explosion	12	0	0	0	0	0	0	0	0	12
Drowning	33	5	0	0	0	0	0	0	0	38
Causing to Kill	7	1	0	0	0	0	0	0	0	8
Burning-Scalding	16	0	0	0	0	0	0	0	0	16
Struck by Motor	10	1	0	0	0	0	0	0	0	11
Suffocation	55	2	0	0	0	0	0	0	0	57
Arson causing death	30	13	0	0	0	0	0	0	0	43
Arson after killing	4	1	0	0	0	0	0	0	0	5
Other	7	0	0	0	0	0	0	0	0	7
Not Known	10	1	0	0	0	0	0	0	0	11
TOTAL	2685	215	0	0	0	0	0	0	0	2900

APPENDIX F

ANALYSIS OF POPULATION BY RELATIONSHIP TO VICTIM AS AT 31.12.90

Relationship	Murder	Man- slaughter	Infanti- cide	Attempted Murder	Wounding	Sexual Offence	Aggravated Burg-Rob	Arson	Other Offences	Total
Son, Daughter	101	7	0	0	0	0	0	0	0	108
Parent	48	14	0	0	0	0	0	0	0	62
Spouse	244	22	0	0	0	0	0	0	0	266
Other Family	79	11	0	0	0	0	0	0	0	90
Lover	100	17	0	0	0	0	0	0	0	117
Prostitute Client	18	0	0	0	0	0	0	0	0	18
Acquaintance	711	46	0	0	0	0	0	0	0	757
Commercial	66	4	0	0	0	0	0	0	0	70
Criminal Associate	23	0	0	0	0	0	0	0	0	23
Police, Prison Off	25	0	0	0	0	0	0	0	0	25
Homosexual Casual	23	3	0	0	0	0	0	0	0	26
Stranger - Other	886	60	0	0	0	0	0	0	0	946
Stranger - Terrorism	24	1	0	0	0	0	0	0	0	25
Cohabitant	105	7	0	0	0	0	0	0	0	112
Lov's Sp, Sp's Lov	36	0	0	0	0	0	0	0	0	36
Friend	99	14	0	0	0	0	0	0	0	113
Ex-Friend	25	4	0	0	0	0	0	0	0	29
Ex-Spouse	16	0	0	0	0	0	0	0	0	16
Landlord - Tenant	15	0	0	0	0	0	0	0	0	15
Rel Com Law Cohab	4	0	0	0	0	0	0	0	0	4
Homosexual - Long Term	7	0	0	0	0	0	0	0	0	7
Ex-Cohabitant	23	4	0	0	0	0	0	0	0	27
Not Known, Unsolved	7	1	0	0	0	0	0	0	0	8
TOTAL	2685	215	0	0	0	0	0	0	0	2900